

Administrative Order



Administrative Order No.: 10-8

Title: Rules and Regulations of the Miami-Dade Water and Sewer Department

Ordered: 10/23/2001

Effective: 11/3/2001

AUTHORITY:

Section 4.02 of the Miami-Dade County Home Rule and Charter, and Chapters 2 and 32 of the Code of Miami-Dade County.

SUPERSEDES:

This Administrative Order supersedes previous Administrative Order 10-8, effective November 24, 2000.

POLICY:

This Administrative Order provides the current Rules and Regulations of the Miami-Dade

Water and Sewer Department as revised. The Department shall act in accordance with the procedures set forth in the Rules and Regulations in dealing with water or sewer customers.

PROCEDURE:

The Director of the Miami-Dade Water and Sewer Department shall be responsible for the Administration and enforcement of the Rules and Regulations. Every year, or earlier, if need be, the Director shall review the Rules and Regulations and recommend necessary changes to the County Manager through this administrative order procedure.

RULES AND REGULATIONS:

The Rules and Regulations as adopted and established by this Administrative Order are attached hereto and incorporated herein by reference. These Rules and Regulations are also filed with and subject to the approval of the Board of County Commissioners and on file with the Clerk thereof.

This Administrative Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

Steve Shiver
County Manager

SECTION 1 PURPOSE, PROCEDURES AND DEFINITIONS

1.01 PURPOSE

The Miami-Dade Water and Sewer Department (hereinafter called Department) is a department of Miami-Dade County, Florida, created for the purposes of developing and operating a countywide water and sewer system, providing potable water, sewage collection and disposal services, and governing the distribution and sale of water

and the collection of sewage. These Rules and Regulations are promulgated pursuant thereto and in the absence of binding specific written agreement to the contrary, they apply without modification or change to each and every Customer to whom the Department renders service.

These Rules and Regulations supersede and annul any and all Rules and Regulations inconsistent herewith under which the Department has previously supplied water service and/or sewage service.

1.02 SEVERABILITY

These Rules and Regulations, insofar as they are in conflict or inconsistent with any valid statute, ordinance or other type of legislation now in effect, shall be null and void; but in the event that any sentence, paragraph or any portion of these Rules and Regulations should be declared unconstitutional or void by any court of competent jurisdiction, such decision shall in no way affect the validity of the remaining portions hereof unless such court order or decision shall so direct.

1.03 GENERAL INFORMATION CONCERNING THE DEPARTMENT – PUBLIC INFORMATION

The Department's main office is located at 3575 South LeJeune Road, Miami, Florida; office hours are from 8:00 A.M. to 5:00 P.M., Monday through Friday, except holidays. Copies of these Rules and Regulations, contracts and agreements for water service and sewer service, the public records of the Department and all other forms, documents and information are obtainable and/or available for inspection at the main office. Fees for copies of documents shall be assessed as specified in the Miami-Dade County's Administrative Order 4-48, as currently in effect and as may be amended in the future.

1.04 DEFINITIONS

Application:	A request to the Department for water and/or sewer service.
Backflow Preventer:	An assembly or device that prevents the reversal of water flow from customers' premises into the public water supply.
Billing Period:	The time interval between two consecutive meter reading dates used for billing purposes.
BOD (biochemical oxygen demand):	The quantity of oxygen utilized in biochemical oxidation of organic matter under standard

	laboratory procedure in five days at 20 degrees centigrade, expressed in milligrams per liter.
COD (chemical oxygen demand):	A measure of the oxygen-consuming capacity of inorganic and organic matter present in water or wastewater under standard laboratory procedures expressed in milligrams per liter.
Connection Charges:	Charges for the usage of the Department's facilities based on the estimated average daily water usage and/or sewage flow in gallons per day, paid by a Developer or Customer for utilizing portions of the Department's water and/or sewer system funded by the Department; connection charges shall be held in a special fund to be utilized solely to defray the cost of new facilities.
Construction Connection Charges:	Charges, payable to the Department, for a Developer's or Customer's utilization of water and/or sewer facilities paid for by other parties, including the Department.
Construction Cost:	The cost to a Developer, less the Department's oversizing costs, if any, described herein, for the design and construction of all facilities as required to serve the Developer's property and to connect to the Department's water and/or sewer system.
Contractor:	A person or firm licensed by the State of Florida or Miami-Dade County to install water and sewer utilities within right-of-ways or easements.
Cooling Water:	The water discharge from any system of condensation, air conditioning, cooling, refrigeration, or other similar sources.
County:	Miami-Dade County, a political subdivision of the State of Florida.
Cross Connection:	Any type of joining or linking of conduits that will allow for a physical connection between the public water supply and any other fluid source which may permit any substance other than potable water to flow into the potable water system.
Customer:	Any individual, corporation, partnership, firm, association, governmental agency, or other entity recognized under Florida law receiving water and/or sewer service from the

	Department in accordance with established rates and charges.
Customer's Installation:	All pipes, shut-off valves, fixtures and appliances or apparatus of every kind and nature used in connection with or forming a part of an installation for utilizing potable water for any purpose which are located on the Customer's side of the point of delivery.
Department:	Miami-Dade Water and Sewer Department, an agency and instrumentality of Miami-Dade County.
DEP:	The State of Florida Department of Environmental Protection.
DERM:	The Department of Environmental Resources Management, an agency and instrumentality of Miami-Dade County.
Developer:	Any individual, corporation, partnership firm, association or governmental agency constructing or placing onto a property improvements for which water and/or sewer service is to be rendered by the Department.
Development:	A defined geographic location where building construction by a developer is to occur.
Director:	The executive officer of the Department or his designated representative.
DOH:	The State of Florida Department of Health.
Domestic Sewage:	Wastewater derived from toilets, showers, sinks, baths and other facilities designed for human sanitation, whether originating in residential or other premises.
Domestic Water:	Potable water furnished by the Department utilized for residential, commercial or industrial purposes, as opposed to water used for irrigation or construction purposes.
Effluent:	Sewage, water or other liquid after some degree of treatment, flowing out of any treatment device, pumping station or related facilities.
Extension:	A pipeline added to an existing water and/or sewer main of the Department for the purpose of serving one or more customers.

Fire Hydrant Assembly:	An assembly including pipe, fire hydrant, isolating valves, fittings, and tee on the Department's water main.
Fire Lines:	The pipe, isolating valves, backflow preventer and fittings on the Department's water main, which provide a water supply to premises for fire suppression purposes.
Force Main:	A pressure sewer main for the transmission of sewage toward its treatment/disposition point.
Frontage:	The portion of a property adjacent to the right-of-way or easement along which a proposed or existing water and/or sewer main is installed. For irregularly shaped lots, the length of the frontage will be that boundary of the lot which has a length closest to that generated by taking the square root of the number of square feet of the property involved.
Garbage:	Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
Grease or Fats:	Any material, which is extractable from an acidified sample of a waste by hexane or other designated solvent.
Guarantee Deposit:	The amount placed with the Department by each Customer as security for payment of the water and/or sewer bill.
Hauler:	Any person engaged in transportation or conveyance of liquid wastes to the Department's wastewater treatment plants for disposal.
High-Strength Surcharge:	That part of the sewer service charge, which shall be applied to sewage, which exceeds the sewage discharge limitations established in Section 24 of the Code of Miami-Dade County to cover added operation and maintenance costs.
Industrial Waste:	Hazardous wastes, hazardous materials, process wastewater or wastes other than domestic sewage.
Influent:	Sewage, raw or partly treated, flowing into any sewage treatment device, pumping station or related facilities.

Inspection Chamber:	An accessible structure through which sewage flows and from which samples of said sewage may be collected for the purpose of being tested.
Interceptor:	A large diameter gravity flow sewer main or force main for the transmission of sewage, which has been designed to receive sewage from one or more collecting sewer systems or pumping stations.
Lateral:	Pipe extending from the sewer main to the point of delivery.
Meter:	A device used for the measurement of water quantity supplied or sewage discharged for billing or other purposes.
Multiple Units:	One premise with two or more units served by a single meter.
Oversized Main:	A water and/or sewer main that is larger than what is needed for immediate development but which the Department may require for the purpose of providing future service to the area.
Oversizing Credit:	A unit amount, as established in the Department's Schedule of Rates, Fees and Charges, based upon the pipe size of an oversized water, gravity sewer, or sewer force main multiplied by the length of said main. The credit is either paid to the Developer or Customer who installed said oversized main or credited to water and/or sewer connection charges to be paid by the Developer or Customer.
PH:	The logarithm of the reciprocal of the hydrogen - ion concentration in grams per liter of solution. This is a measure of the acidity/alkalinity of a fluid.
Planned Extension:	Future main extensions scheduled by the Department.
Point of Delivery:	The point where the Department water and/or sewage piping or meter is connected with the facilities of the customer and where water and/or sewer service to the Customer begins.
Pretreatment Facilities:	Structures, devices or equipment for the purpose of reducing the amount of pollutants, elimination of pollutants or the alteration of the

	nature of pollutants in wastewater to a less harmful state prior to discharging the pollutants into a publicly-owned treatment plant.
Property:	Any unit or piece of real property, including any and all structures located on a piece of land, viewed individually or in whole.
Property Owner:	The record titleholder of premises served or to be served by the Department.
Reclaimed Water:	Wastewater that has received at least secondary treatment and basic disinfection and is approved for reuse in compliance with State and County regulations and customer agreements.
Reclaimed Water Distribution System:	A network of pipes, pumping facilities, storage facilities and appurtenances designed to convey and distribute reclaimed water from one or more domestic wastewater treatment facilities to one or more users of reclaimed water.
Scavenger Waste:	Liquid waste from sources such as septic tanks, which are removed from premises by means other than sewer service.
Service:	Rendering of water and/or sewer service including the availability of service to a property.
Service Charge:	The charge established for the water supply and sewage disposal service by the Department.
Sewage:	A combination of the water-carried wastes from residences, office buildings, industrial plants or institutions, together with such infiltration as may be present.
Sewer Lateral:	See Lateral
Suspended Solids:	Solids that either float on the surface of or are coarsely dispersed in water, sewage or other liquids and which are removable by laboratory filtering or sedimentation.
Toxic Substance:	Any substance, whether gaseous, liquid or solid which, when discharged to the water and/or sewer systems in sufficient quantities may tend to: interfere with any sewage treatment process, constitute health hazard to human beings or animals, inhibit aquatic life, or create

	a hazard in the receiving waters of the sewage treatment plant.
Water Service:	Pipe extending from the water main to the point of delivery of property to be serviced.

SECTION 2 WATER SERVICE

2.01 CLASSES OF WATER SERVICE AVAILABLE

The Department renders water service of four general classes:

1. DOMESTIC WATER SERVICE - This service covers the normal use of water in faucets, sinks, baths, urinals, toilets, water heaters, boilers, refrigerators and other similar fixtures or apparatus in residences, apartments, hotels, stores, offices and industrial buildings.

1. WATER SERVICE FOR FIRE LINE (SPRINKLER) SYSTEMS - This service is intended to provide an emergency supply of water exclusively for fire protection purposes. The portion of the Customer's Installation to which this service is rendered must be in facilities entirely separate and apart from the facilities of Customer's Installation used for domestic water service. No disconnection of fire lines is permissible unless the Customer involved can provide proof of demolition of the existing structure, or can provide a letter from the appropriate fire department authorizing such disconnection of service. Fire lines shall only be used to supply water for fire protection purposes. Should the customer use or tolerate the use or waste of any water supplied by the fire protection water service for any purpose other than fire protection, the customer shall, at the customer's cost, install a meter of a type approved by the applicable regulatory agency, and the customer will be billed for such use, or shall cease such use.

2. SHORT TERM (TEMPORARY) WATER SERVICE - This service covers the provision of water service for short periods of time, not to exceed one year, and upon application only, for street, building, sewer and similar construction, circuses, fairs, exhibitions, displays, lunch carts, camps, ships and boats, or similar events as approved by the Director. Temporary water service for construction purposes shall require

clearance from the Florida Department of Health, including satisfactory test results. Temporary water service will be supplied only when the Department has available unsold capacity of mains, pipes, pumps and other equipment for the service requested. Applicants for such temporary service shall pay to the Department in advance the cost of installing and removing any facilities necessary to furnish the service. Such service will be rendered only to the designated locations, only within the period of time specified in the contract for service and only for the utilization of the contracting party.

3. FIRE HYDRANT SERVICE – This service is to provide an emergency supply of water exclusively for fire protection services through hydrants owned and maintained by the County.
4. OTHER SERVICE - This service is available where submetering or separate metering is required because the permanently designated usage will not be incorporated in sanitary sewage flow for billing purposes.

2.02 REQUESTS AND AGREEMENTS FOR SERVICE

1. APPLICATIONS FOR DOMESTIC WATER SERVICE - To obtain domestic water service from an existing distribution main, where water service already exists to the property and no change in size and/or use of the property is being made, the Department will accept applications and deposits by mail. In order for the Department to render a correct bill, the Department may require the customer to produce proof of the date of occupancy, as in the case where metered service is reconnected without Department knowledge or consent. Applications for new domestic water service from existing metered service installations are accepted in person, by telephone or by electronic requests from Customers. Customer must provide acceptable identification, such as a Driver's License or Social Security Number or other form of identification acceptable to the Department. If a Customer cannot provide identification, then the Department may require that the Customer complete an Account Application Agreement form. The guarantee deposit may be billed to the Customer. Usage of water service shall constitute acceptance by the Customer of the contract with the Department. Applications are accepted by the Department with the understanding that there is no obligation on the part of the Department to render service determined by the Department. The Department reserves the right to conduct appropriate credit checks, through a national credit database, on Customers applying for water service. Deposit amounts may be determined by credit risk analysis.

Upon a Customer's or Developer's request for water service to a property not previously receiving water service, the Department shall require that the Customer or Developer of said property install water main extensions as described in Section 2.04 (2) herein and said installation shall be based on the Criteria established by the Department for water main extension requirements (Attached as Exhibit "A"). If there are adequately sized water mains abutting the entire frontage of property, including both sides of a corner lot, the Department shall require payment of a service installation fee to defray installation costs. Section 2.06 herein describes fees for various types of services. At the same time, the Department shall require payment of connection charges, described in Section 2.08 (6) herein, and construction connection charges, if applicable, described in Section 2.05 (1)(i) herein.

2. APPLICATIONS FOR WATER SERVICE FOR FIRE LINE (SPRINKLER) SYSTEMS –

To obtain such service, application should be made in person at the Department. In case of a new fire line and/or combination fire line and domestic water service installation, it is necessary that the Department be provided both plot plans and plumbing plans for a cost estimate. After the cost has been determined, it will be necessary for the applicant to sign an agreement or contract for service or to provide a letter authorizing the installation. Every applicant shall prepay the estimated cost of the installation from the water main to the property line including an isolating valve, a detection check meter for determining leakage or illegal usage (plus the extension of the proper size main if necessary), street repair, sidewalk repair, labor, concrete vault for detection check valve, other related materials and such other costs as may be incurred in the installation, and comply with all requirements of other local, state and federal agencies, in accordance with the provisions in Section 2.04, 2.05 and 2.06 herein.

3. APPLICATIONS FOR FIRE HYDRANT SERVICE - A Developer or Customer requesting the installation of fire hydrants shall be required to pay the installation cost, including the tapping sleeve, isolating valve, fire hydrant assembly, pipe, fittings, street repair, sidewalk repair, swale restoration, labor, materials and such other costs as may be incurred in the installation. No fire hydrants may be installed on any water main of less than six (6) inches in diameter for residential zone, twelve (12) inches in diameter for commercial, industrial, business and for high density population zones. A fire hydrant service charge shall be required as described in Section 2.08(3). Fire hydrants may be installed by contractors utilizing plans approved by the Department and shall be subject to inspection by the Department.

4. APPLICATIONS BY AGENTS - Applications for service requested by firms, partnerships, associations, or others, shall be submitted in writing to the Department only by duly authorized agents, legally empowered to represent them. When service is rendered under a contract entered into between the Department and an agent of the prospective Customer, the use of such service by the Customer shall constitute full and complete ratification of such contract. Where a condominium building is served by a master meter, the Department is authorized to accept applications for service, contract with, bill and require guarantee deposits from condominium associations, as representatives of individual unit owners or occupants.

5. LARGE VOLUME WATER USAGE AGREEMENTS - Water service on a volume basis may be obtained in accordance with the terms and conditions outlined in contractual agreements with the Department. Such agreements apply only to other municipalities.

6. DEVELOPER AGREEMENTS - Agreements for the provision of water service for new or existing properties requiring the construction of water facilities shall, upon request by a Developer, be prepared by the Department (see WATER EXTENSIONS REQUIRED OF DEVELOPER, Section 2.04(2)). Final zoning approval of a property must be obtained prior to the Department's preparation of the agreement. The Department shall determine when the construction of water facilities is required. In accordance with County Administrative Order 3-29, the Department will not prepare or offer an agreement to the Developer if the Developer is in arrears to the County.

7. PRIOR INDEBTEDNESS - The Department shall withhold or discontinue Service Rendered under an application made by any member or agent of a family, household, organization or business until all prior indebtedness to the Department of such family, household, organization or business has been paid in full.

8. MULTIPLE UNITS SERVED THROUGH SAME METER - When multiple units are served through the same meter, the water service account must be in the name of the property owner who must accept full responsibility for the payment for all service rendered, since no method is available to the Department for prorating charges for service among the occupants of the units.

9. SHORT TERM SERVICE - Short Term (or Temporary) Water Service will be supplied only when the Department has available unsold capacity of mains, pipes, pumps and other equipment for the service requested. Applicants for such temporary service shall pay to the Department in advance the cost of installing and removing any facilities necessary to furnish the service. Short Term Service will be rendered only to the designated locations and only within the period of time specified in the contract providing therefore, and shall be utilized only by the contracting party.

a. During construction, a customer, contractor, or developer may request temporary metered service (floating meter) for construction purposes only from fire hydrants or services that have been approved by the Department, DEP and DOH.

b. Prior to establishing permanent water service by the installation of an approved Department water meter, a customer, contractor or developer may request a temporary spacer to be installed in the service line. These spacers are to be used only to provide the proper spacing for the meter to be installed and must be removed prior to occupancy.

The Department reserves the right to discontinue service if any alteration of or tampering with the Department's meter or other facilities occurs, or if spacers are not used in compliance with the specifications set forth by the Department.

10. CHANGE OF OCCUPANCY – When change of occupancy takes

Place on any premises supplied by the Department with water service, written notice thereof shall be given to the Department not less than two (2) days prior to the date of change by the outgoing Customer, such outgoing Customer to be held responsible for all water service rendered to such premises until such written notice has been received by the Department. The application of a successor occupant for water service will automatically terminate the prior account. For the convenience of its Customers, the Department will accept telephone orders to discontinue or to transfer water service and will use all reasonable diligence in the execution thereof. A request for disconnection or change of occupancy for multiple units must be in writing by the property owner.

11. LIMITATION OF USE - Water Service purchased from the Department shall be used by the Customer only for the purposes specified in the application for service, and the Customer shall not sell or otherwise dispose of such service to other parties. Except as provided in Ordinance No. 96-137, water service furnished to the Customer will be rendered directly to the Customer through the Department's meter and shall be for the Customer's own use and shall not be remetered by the Customer for the purpose of selling or otherwise disposing of water service to lessees, tenants or others, and under no circumstances shall the Customer or the Customer's agent or any other individual, association or corporation install a meter for the purpose of so remetering said service. Exceptions to this policy are governmental entities which are customers of the Department and which may be allowed to install meters for remetering provided that such arrangement is authorized by express written consent of the Department. In no case shall a Customer extend his lines across a street, alley, lane, court, avenue or other highway, in order to furnish service for adjacent property through one meter, even though such adjacent property is owned by said customer. In case of such unauthorized remetering, sale or disposition of service, the Customer's service shall be subject to discontinuance until such unauthorized remetering, sale or disposition has been discontinued and full payment has been made of all bills for service, calculated under proper classifications and rate schedules, and until reimbursement in full has been made to the Department for all extra expenses incurred for clerical work, testing and inspections.
12. CUSTOMER'S RESPONSIBILITY - The Customer is responsible for all water metered to the service location until such time as service is discontinued for one of the following reasons:
 - a. The Department receives written notice from the Customer to discontinue service as of a certain advance date, or receives an application for water service from a successor occupant. While the Department will process an oral request, an oral notice will not be considered binding and Customer remains responsible for any charges accruing after such oral request.
 - b. Payment for service, deposit or other billed fees and charges is not received by the Department within the specified period.

13. MULTIPLE UNIT STRUCTURE SERVED BY INDIVIDUAL WATER METERS –

To ensure that each unit within a shopping center, apartment or condominium is served by the correct water meter, the Department shall require the contractor, builder or developer to maintain the water and/or sewer account in their name until such time as all interior plumbing work has been completed and a water meter has been obtained from the Department. The contractor, builder or developer will at this time provide access to each unit or store being constructed. After the Department has determined that no cross connections of plumbing exist, each apartment, store or unit will be accepted for individual billings.

2.03 CONTINUITY OF SERVICE

The Department will at all times use reasonable diligence to provide continuous service, and having exercised reasonable diligence, will not be liable to the Customer for failure or interruption of service. The Department will not be liable for any act or omission caused directly or indirectly by strikes, labor troubles, accidents, acts of war or terror, litigation, shutdowns for repairs or adjustments, interference by governmental agencies, failure of electric power, acts of God or other causes beyond its control. When the Department can provide water service to a property from either of two mains, the removal of one such main from service shall not be considered to be an interruption of service.

2.04 EXTENSIONS TO THE DISTRIBUTION SYSTEM PLANNED EXTENSIONS –

The Department may, from time to time, through the creation by Miami-Dade County of water improvement special taxing districts or by other means, plan water extensions in specific areas of the County. The costs of these extensions and terms of payment may be set forth individually by County ordinance or resolution. In such cases where the Department installs at its cost water mains, the Department shall require a construction connection charge from property owners connecting to such mains, in an amount as specified in the Department's Schedule of Rates, Fees and Charges, to reimburse the Department for its costs.

1. WATER MAIN EXTENSIONS REQUIRED OF DEVELOPER- Where properties are to be served by water main extensions required of Developers, water facilities shall be extended on the following basis:
 - a. APPLICATION (BY DEVELOPER OR OTHERS) - An application shall be required for extension of water service under the provisions hereof, and shall be in writing and signed by the Developer or Developers desiring Department water service. Said application shall be filed with the Department and shall include an application fee as specified in the Department's Schedule of Rates, Fees and Charges, a typed legal description of the property on 8.5" x 11" paper, with two (2) certified original boundary surveys of the proposed site, and shall indicate the name, street address, lot and block number, the street frontage of each site, tax folio number of the property, proof of zoning, proposed usage, and such other additional information which may be required by the Department. Each applicant shall agree to connect to and use

the Department water service for his property. No water mains, or connections to mains, will be extended until the charges for water service, as further outlined, have been provided for.

b. **PROCESSING OF APPLICATION** - Upon receipt by the Department of a proper application requesting a water main extension, it will be evaluated, and if not feasible, returned with the proper explanation. If feasible and if the Developer decides to proceed further with the project, and final zoning of the project has been approved, the Department shall, at the Developer's request, prepare and submit an agreement specifying all terms and conditions for service and related costs,

other than construction costs, to the Developer. The Department will require of the Developer a current attorney's opinion of title, in a form acceptable to the Department, that states that the Developer is the owner in fee simple of the property to be covered by the agreement.

c. **BASIS OF PAYMENT FOR EXTENSIONS** - The cost to the Developer shall be the payment of the connection charges, construction connection charges and construction costs as further outlined. The allocation of costs for oversizing water mains and rebates in regard to off-site water mains is outlined in Section 2.05(1) (g) and (i) hereinafter.

d. **WATER MAIN EXTENSIONS** - In addition to any required off-site mains, each Developer or owner of property who requests water service shall install, as required by the Department, a water main along one entire boundary line of said property which actually abuts a public road or street. However, in its sole discretion, the Department may require said Developer or property owner to install additional water mains as the Department may deem necessary to promote the public interest and the orderly development of a county-wide water system in accordance with guidelines and in accordance with the Criteria established by the Department (Attached as Exhibit "A"). Such additional mains may be required by the Department to be installed along all or part of the boundaries of the remainder of the property, or through the property that is to receive water service.

e. **REDEVELOPMENT** - When property already served by the Department is to be redeveloped, its use changed or otherwise improved, the Department shall require the Developer to improve the water facilities serving the property so as to comply with prevailing Department standards.

f. **WATER MAIN EXTENSION FROM PUBLIC RIGHT-OF-WAY** - Water mains shall be extended so that service to a Developer's property will be from mains located in public rights-of-way or easements in private paved roads abutting each individual parcel of the Developer's property that will receive service from a meter. Such water main extensions shall not be installed on private property except within easements in private paved roads that are open to public access.

3. **RIGHT TO REFUSE SERVICE** - The Department shall have the right at all times to refuse to extend service on the basis of a use detrimental to the water system, lack of payment of required fees, or for any reason which, in the opinion of the Department, will cause the extension not to be in the public interest. No payment of any costs, submitting of any petition, or any other act to receive water service, shall guarantee water service.

2.05 CONSTRUCTION OF WATER MAINS; CONNECTIONS

1. WATER MAIN CONSTRUCTION BY DEVELOPER - Water mains to be constructed by a Developer shall be constructed in accordance with the following provisions:

- a. PLAT APPROVAL - In the case of subdivisions, the application shall be accompanied by two copies of a recorded plat, or, in the case of a new subdivision, an approved tentative plat, or preferably a master tentative plat or a large scale development plan plus a plan showing location of proposed water main extensions.
- b. PLANS APPROVAL - Prior to construction, the Developer shall have plans and applications prepared and submitted to the Department and to other appropriate State and Miami-Dade County agencies for approval. Said plans must be signed and sealed by an engineer registered in the State of Florida. Construction shall not commence until all necessary approvals have been issued.
- c. OTHER GOVERNMENTAL APPROVAL - Prior to final acceptance,
- d. all such water main extensions, shall be approved by the appropriate State agencies, the Miami-Dade County Department of Environmental Resources Management, and the Department.
- d. MATERIALS AND CONSTRUCTION STANDARDS - All materials and labor shall meet the specifications currently required by the Department in its manual entitled "Design and Construction Standard Specifications and Details", as currently in effect and as may be amended from time to time by the Department. In order to provide adequate distribution and fire protection service, the normal minimum size for a water main extension shall be 8-inch for single-family residential developments and 12-inch for commercial, public buildings, industrial, business and high density residential developments. All construction shall be performed under the inspection of the Department and in strict compliance with the standards of the Department and either the appropriate municipality, or Miami-Dade County Public Works Manual, or the Florida Department of Transportation, whichever is applicable.
- e. CONNECTION TO EXISTING SYSTEM - The Developer's contractor may connect a water main line extension of the Department's existing water system under supervision by

Department personnel. When a tapping sleeve is required for the connection to an existing main, the following procedure is required:

1. The contractor must perform the following:
 - a. Excavate and dewater.
 - b. Provide lifting equipment on-site for tapping machine.
 - c. Furnish and install tapping sleeve and valve, under inspection of Department inspector.
 - d. Pressure test tapping sleeve and valve, under inspection of Department inspector.
 - e. Provide support blocking under tapping sleeve and valve.
- f. The Developer will pay all connection charges, construction connection charges and construction costs prior to connecting to the Department's system unless otherwise specified in an agreement between the Developer and the Department. Construction cost will be the cost of water mains of sufficient capacity to supply water to the proposed development from the nearest adequately-sized Department water mains. Connection charges are defined hereinafter.
- g. **OVERSIZING** - The Department reserves the right to oversize any extension on the basis of additional costs beyond that necessary to serve only the subject requirements. Water mains on half-section lines and section lines shall be no less than eight (8) inch diameter, respectively. The Department will pay at the Department's Schedule of Rates, Fees and Charges multiplied by the length of the oversized water mains. The amount of credit will be determined by the Department, based on construction costs. The Department will credit the cost of the Department's share of oversized water mains and this credit will be applied to the Developer, said payment to be made within ninety (90) days of completion of the project. The Department also reserves the right to require the Developer to contribute an amount of its participation in the cost of oversizing, depending on current economic conditions. The rates of credit related to the difference in diameter between the pipe required by the Department to be installed are specified in the Department's Schedule of Rates, Fees and Charges. Should the amount of credit to be due to the developer exceed \$255.05, Florida Statutes, the developer shall post a bond sufficient to insure the Developer's laborers. Should a developer fail to post a bond, that developer shall indemnify the County against all claims against the County brought by a subcontractor or supplier of the project. The bond shall remain in effect one year from completion of the project.

- h. CONSTRUCTION PERMIT - A permit for construction must be obtained by the appropriate governmental agencies.
- i. REPAYMENT POLICY - In those cases where a Developer does not utilize all extension he has paid for, other parties may make connections to it. A construction imposed on such other parties connecting with the Developer's main, provided service connection, the sole water main connection to serve another party's property connection required in order to provide adequate service for said property. The shall be based on a rate per front foot of the connecting property abutting the route of the water main constructed by the Developer. Such rates are specified in Rates, Fees and Charges. In addition, per annum simple interest will accrue charge from the date of the Developer's bill of sale for the water main extension to time by Section 687.01, Florida Statutes. If a connecting property is a corner installed by the same Developer or different Developers, both sides will be use connection charges. This policy also applies to water mains installed by the Department. In the event the Department has oversized a water main and paid a Developer hereinabove, construction connection charges which may be imposed on future paid first to the Department up to an amount equal to the oversizing credit.

The Department will make every reasonable effort to collect applicable construction those others as specified by agreement between the Department and the Developer repayments to the Developer but shall only be liable for monies collected. However required or collected by the Department for residential buildings occupied or under of the Department's service agreement with the Developer. A Developer shall not his original investment, less his use, in the water main extension. Such repayment twelve (12) year period commencing with the date of the Developer's bill of sale shall be the Developer's responsibility to provide the Department with a current twelve (12) year period.

- 2. PUBLIC EASEMENT REQUIRED - No water main facility will be installed under the property accepted by the Department for operation and maintenance unless it is in a public right-of-way minimum width of twelve (12) feet, with twenty-five (25) feet of vertical clearance above shall be installed at the center of the easement. The Department shall have 24-hour emergency purposes, reading meters and disconnection of service. Conveyance of easement shall be a separate document in recordable form to be approved by the Department and shall include certification by an attorney licensed to practice law in the State of Florida that the Developer has conveyed of the property to be conveyed by easement and that upon execution by the Developer the easement in the Developer's property will be vested to the Department. No water main provisions outlined herein shall be installed under any building. No encroachments on the Department's easement, unless approved in writing by the Department.
- 3. CONVEYANCE AND OWNERSHIP - All water main facilities and appurtenances included by the Department shall be conveyed to the Department by proper Bill of Sale immediately after acceptance, in writing, of the construction of said facilities. The Developer shall provide bacteriological test results from DOH. The Developer shall also provide copies of plans

releases or satisfactions together with a breakdown of the actual cost of said facilities. Con required above, the Developer shall furnish the Department with one (1) set of Mylar as as specified in the Department's manual entitled "Design and Construction Standard Sp water main facilities and appurtenances as located by a licensed surveyor, along with drawings which have been sealed by the surveyor and certified by the Engineer of Reco shall furnish the Department with a maintenance bond or alternate security deposit acce a period of one (1) year from the Department's final acceptance of said facilities, in th percent of the total actual cost of construction of said facilities, to protect the Department any and all defects in materials or improper installation of said facilities. When accepted Department for ownership, maintenance and operation, said facilities shall become an Department and no person shall, by the payment of any charges provided for herein, or of facilities accepted by the Department, acquire any interest or right in any of these fac other than the privilege to have his property connected thereto for water service in accor and regulations. No permanent, domestic meters may be installed on facilities that have to the Department.

4. APPROVALS - No water main extension will be accepted by the Department without the DERM, Miami-Dade County Public Works Department and appropriate State agencies, in
5. UNAUTHORIZED WORK ON WATER SYSTEM - No person shall tamper with, work o with, or in any way alter or damage any Department water main or appurtenance thereto the Department. The Department shall prosecute such offending person or persons to materials illegally connected to the Department's water system will be confiscated by prima facie evidence for further legal action. Violators shall be cited in accordance wit Dade County Code and Section 812.14, Florida Statutes, as currently in effect and as ma
6. CONSTRUCTION BY DEPARTMENT - The installation of all water services less than 1 public rights-of-way or easement areas which are to be connected to existing Departm be completely performed by Department personnel, including the connections, and Department its standard service line installation charges as specified in the Departme and Charges prior to any such installation. The installation of water services four (4) in lines and fire hydrants, shall be installed by the Customer's Contractor utilizing plans a subject to the Department's inspection, and in accordance with the procedure descri Customer desires Department installation of water services four (4) inches and greater the Department with both Plot Plans and Plumbing Plans for a cost estimate. After the c Department will install such adequate service line upon application of the Customer and estimated cost of such larger service line. After installation, the Customer shall pay th Department.

The Department will attempt to install the service at the location requested by the Custor reserves the right to install said service at any location within the perimeter boundaries o

2.06 CONNECTIONS FOR SERVICE AND METERS; SERVICE INSTALLATION FEES

1. SERVICE INSTALLATION FEES - The Department will provide a service line capable requested for a lot or parcel adjacent to an existing main owned by the Department up Customer of a service installation fee and any other applicable fee as specified in the Rates, Fees and Charges. At its option, the Department may install a second 5/9-inch upon advance payment by the Customer of an amount specified in said Schedule.
2. SERVICE AVAILABILITY FROM EXISTING SYSTEMS - Water service to any structure may only be rendered from Department-owned mains in public rights-of-way abutting said property. The availability of service from existing facilities shall be at the sole discretion of the Department. The Department shall have the authority to require the Customer to install its water mains and other facilities for proper service or to require such permanent facilities as the Department deems necessary in order to carry out the intent of this Section.
3. CUSTOMER OBLIGATIONS -

- a. MODIFICATION OF EXISTING SERVICE LINE - The initial Customer of an installation shall be responsible for the service line to meet Department standards. Any modifications, service and meter box required to meet Department standards shall be at the expense of the Customer. The installation shall be completed prior to the installation of a water meter by the Department.
- b. CUSTOMER'S INSTALLATION - Each Customer's Installation shall include the service line extended by the Customer at his expense to a point designated by the Department. If the designated point is on the property line of the premises adjacent to a public street, the Customer's Installation shall be extended to the Department's meter and curb cock at the property line at one side of the lot.
- c. TYPE AND MAINTENANCE - The Customer's water pipes, apparatus and appurtenances shall be installed, used and maintained in accordance with standard practice, conforming to the Department's standards, and in full compliance with all laws and governmental regulations. The Customer expressly agrees to abstain from utilizing any apparatus or device that is not approved by the Department and the Department reserves the right to withhold or to discontinue service whenever such device is used.
- d. CHANGE OF CUSTOMER'S INSTALLATION - No changes or increases in the installation shall be made without the written consent of the Department. The Customer will be liable for the cost of any change from a violation of this rule.
- e. INSPECTION OF CUSTOMER'S INSTALLATION - All installations for water service shall be inspected upon completion by a competent authority to insure that piping has been installed in accordance with accepted standard practice and in compliance with applicable building codes as may be in effect. Where inspection is required by governmental authority, the Department shall discontinue service if the inspecting authority notifies the Department that the installation has not been approved.

The Department reserves the right to inspect the Customer's Installation prior to time to time thereafter, but assumes no responsibility whatsoever for any portion thereof.

- g. **INDEMNITY TO DEPARTMENT AND COUNTY** - The Customer shall indemnify, defend and hold the Department and County from and against any and all liability, proceedings, suits, damages or injury to persons or property, in any manner directly or indirectly connected with the transmission and use of water by the Customer at or on the Customer's side of the water main.
- h. **PROTECTION OF DEPARTMENT'S PROPERTY** - The Customer shall protect the Department's property on the Customer's premises, and shall permit no one to have access to the Department's property except the agents or persons authorized by law.

In the event that the Department determines that the water meter or service line has been tampered with, the Customer will be notified by mail and a citation will be issued if the Customer is at fault. In addition, the Department will take any other legal action to protect its property. The citation amount is specified in the Department's Schedule of Rates. If the customer is a resident in a multi-unit building, the Department shall also notify the building owner of the customer's tampering and may pursue legal action against said owner if justified.

When service lines, meters, mains or other equipment are damaged by contractors, governmental agencies or others, such damage will be repaired by the Department. The cost of such damage shall be charged to the party or parties causing the damage.

In the event of any loss or damage to property of the Department caused by the negligence or neglect or misuse by the Customer, or by unauthorized parties with the customer's permission, the cost of such loss or repairing such damage shall be paid by the Customer.

- h. **ACCESS TO PREMISES** - The duly authorized agents of the Department shall have access to the premises of the Customer for the purpose of installing, maintaining and repairing the Department's property, reading meters or other purposes incident to performance of the Department's contract with the Customer, and in such performance shall not be limited. If access is not granted for the purposes indicated above, a notice will be left for the Customer. If access is not granted for two (2) consecutive attempts, the Department's personnel will return within forty-eight (48) hours. If access is not granted for two (2) consecutive attempts, service will be subject to termination. A service charge in the amount shown in the Department's Rates, Fees and Charges will be made for each attempt after the initial attempt to gain access. If access is not granted, the service charge will be applied on the Customer's next bill.

- i. RIGHT OF WAY - The Customer shall grant or cause to be granted to the Department all rights, easements, permits and privileges which in its opinion are necessary for the installation and maintaining of service.
4. LOCATION OF WATER METERS - The Customer shall provide meter space for a suitable and readily accessible location, preferably in the sidewalk, not in a driveway or on the Customer's property. Adequate and proper space for the installation of meters and other equipment provided by the Customer within the premises to be served, and at no cost to the Department. If more meters are utilized to supply the Customer's premises, such meters will be installed at the Customer's expense. Installation brought out by the Customer to a meter location designated by the Department. Department agents (such as employees or contractors, are prohibited from placing any obstacles or equipment which in any way obstructs free access to such equipment.
5. INSTALLATION OF METERS - The Department will install and properly maintain meters and metering equipment as may be necessary to measure the water delivered to the Customer's property. Meters installed inside the Customer's property to measure water not entering a sewer system shall be installed by the Customer at his own expense, upon written agreement with the Department. The Department requires approval, prior to the Customer's installation, of meter type, size and installation location.

Title to meters and metering equipment shall be and remain in the Department except for meters and metering equipment sold to the Customer under written agreement.

6. METER - STANDARD OF ACCURACY CERTIFIED TEST

- d. No meter will be installed by the Department unless first tested and determined to be accurate. The Department will use all practicable means to maintain the accuracy of its meters.
 - e. In accordance to the standards established by the American Water Works Association, a "standard accurate" meter is defined as a meter that has been tested by the Department and found to be between 98.5 and 101.5 percent on high and intermediate test flows, and between 95 and 105 percent on low test flows.
 - f. Upon written request from a customer, the Department will remove a meter from service and replace it with a new meter that shall be certified by the Department and Miami-Dade County Consumer Protection Division.
 - g. The minimum charge for a certified test will be as specified in the Department's Schedule of Charges, of which a portion shall be paid by the Department to the Miami-Dade County Consumer Protection Division for services rendered by that Division.

- h. If a meter tested at the request of a customer is determined by certified test to be legally accurate, the customer shall pay the test charge specified in the Department's Schedule of Rates. If a meter is determined not to be legally accurate, the customer will not be required to pay the test charge.
- i. If a meter is determined not to be legally accurate, the customer's billing will be in question, but not to exceed the two periods just prior to removal of the meter. The estimate will be based on the percentage of registration on the meter as tested that is greater than 100 percent, as specified in Section 2.06(6)(b).
- j. For a meter determined not to be registering at the time of the meter test, the Department will estimate the water used for the billing periods in question. The estimate will be based either on registration on a legally accurate meter installed to serve the customer's premises or on a credit for water used during the corresponding billing periods of the previous year.

7. CONNECTIONS FOR SERVICE; UNAUTHORIZED CONNECTIONS OR INSTALLATIONS. No connections to the Department's system for any purpose whatsoever are to be made only by its employees or under the approval of the Department. No connection of any description, temporary or otherwise, is permitted between that portion of the Customer's Installation for domestic water service and any other source of water. No connection between domestic water service and any other source of water for fire protection purposes. Any connection between domestic water service and any other source of water is strictly prohibited.

That portion of the Customer's Installation for domestic water service shall be so arranged that all water for domestic service shall pass through the meter. No temporary pipes, nipples or spacers or other devices shall be used in construction as authorized by the Department, and under no circumstances are connections permitted that permit water to by-pass the meter or metering equipment. Any such connection, whether temporary or permanent, will constitute tampering and the Department shall pursue all legal remedies against the responsible party.

Any and all physical connections or arrangements of pipes are prohibited between two separate properties, one of which contains potable water from the Department's system and the other containing a liquid from any other source such as a private well supply. If the Department determines an interconnection exists, it shall terminate service and remove the water meter immediately. Service shall not be restored until any such interconnection has been severed and proof of severance is provided to the Department.

No booster pumps may be installed in the plumbing system of any residential Customer. Booster pumps in the plumbing systems of multi-family, commercial or industrial Customers are permitted only with the approval of the Department and only with the inclusion of proper back-flow preventer devices.

Any unauthorized connections or installations shall render the service subject to a citation in the Department's Schedule of Rates, Fees and Charges. In addition, water service shall be discontinued without further notification and any illegal connections to the Department's system shall be confiscated and held as evidence until such time as all citations, service charges and penalties are paid in full.

8. INSTALLATION OF SUBMETERS - With the approval of the Department, a Customer may install a submeter within that portion of his plumbing that is being used exclusively for the service to be metered. The submeter shall be returned to the Department's sanitary sewer system. The Department reserves the right to require that the submeter be made by particular manufacturers, register in cubic feet, and be located as designated by the Department. The Department will require a final inspection of the submeter installation in order to assure that the submeter is properly installed and to record the information on the Department's billing system. The cost of the submeter and the process shall be recovered by the Department by assessing a fee at the time the submeter is installed. This charge is specified in the Department's Schedule of Rates, Fees and Charges. If the submeter fails to operate properly, the Department, at the Customer's expense, shall deliver the submeter to the Department's premises for repair. Unless testing mandates earlier replacement, all submeters shall be replaced at least once every five years. The replacement meter must meet the same standards as the meter initially installed. The cost of the replacement meter shall be the Customer's expense. Meters larger than 5/8-inch may, as an alternative, be rebuilt and returned to the Department's Meter Shop, at the Customer's expense.

It is the Customer's responsibility to insure access to and readability of the submeter at all times. It is also the Customer's responsibility to remove and repair the submeter whenever necessary. If the submeter is repaired, the Customer shall promptly advise the Department of the complete repair.

2.07 BILLING PROCEDURES

1. APPLICABILITY - This section applies to all Customers of the Department.
2. BILLING PERIODS; DUE DATE - Bills for service will be rendered either monthly or quarterly. Bills shall be rendered and shall be considered as having been received by the Customer when delivered to the Customer's address or to some other place mutually agreed upon.

Non-receipt of bills by the Customer shall not release or diminish the obligation of the Customer to pay the bills. Payment of a bill shall constitute receipt thereof.

When a Customer has two payments returned for non-sufficient funds or another reason, the Department will only accept payments made by cash, a cashier's check or a money order. If a payment is returned for non-sufficient funds, the Customer shall be required to make a deposit of one (1) year following the date of the second returned check. The Department may require the Customer to make a deposit or to increase the amount of the deposit.

1. **LIFELINE BILLS** - Where service billable on a quarterly basis is provided for a period of less than 98 days and the consumption is 1500 cubic feet or less, the minimum charge will be as specified for such period in the Department's Schedule of Rates, Fees and Charges. Where service on a monthly basis is provided for a period of less than 23 days and the consumption is 500 cubic feet or less, the minimum charge will be as specified in the Department's Schedule of Rates, Fees and Charges.

1. **BILLING PRORATION** - Where service billable on a quarterly basis is provided for a period of less than 98 days the charge will be computed by making a charge based upon the minimum daily basis, or upon the prescribed rate for the quantity of water used, whichever is greater.

Where service billable on a monthly basis is provided for a period of less than 23 days or less, the charge will be computed by making a charge based on a daily basis, or upon the prescribed rate for the quantity of water used, whichever is greater.

1. **GUARANTEE DEPOSITS** - Upon opening an account to be billed on a monthly or quarterly basis, a deposit shall be paid by each residential Customer, as established in the Department's Schedule of Rates, Fees and Charges.

Any commercial customer (including multi-unit customers such as condominium associations) to be billed on a monthly basis shall be required to pay a guarantee deposit of approximately 1.5 times the anticipated monthly billing, as established in the Department's Schedule of Rates, Fees and Charges.

Any commercial customer upon opening an account to be billed on a quarterly basis shall be required to pay a guarantee deposit approximately 1.5 times the anticipated quarterly billing, as established in the Department's Schedule of Rates, Fees and Charges.

The guarantee deposit is required as security for payment of the Customer's water bill. If the full amount of application or may be billed to the Customer with the next regularly scheduled billing amount is not received by the Department within the time specified on the bill sent to the Customer, the account will be terminated until such time as the deposit and service fees are paid in full. The deposit will be returned to the Customer upon termination of service, provided there are no outstanding bills for the account with the Department. However, deposits are returned according to the following schedule: after two (2) years with no service cuts or tampering violations combined with a record of on-time payments for a quarterly customer and less than five (5) late payments for a monthly customer.

The Department reserves the right to conduct appropriate credit checks, through a Customers applying for water service. Deposit amounts may be determined by credit risk

Deposits shall earn simple interest at a rate established by the Department, which rate The Customer shall be entitled to receive interest from the date of payment or date of p interest shall be accrued for the period prior to April 1, 1984. Return of deposits sh adjustment on the regularly scheduled or final billing.

A Customer requesting a temporary portable (floating) meter shall pay a guaran Department's Schedule of Rates, Fees and Charges. This deposit is security for the value loaned to the Customer as well as for payment of the water bill.

Governmental agencies, churches, synagogues, recognized charitable agencies and p letters of agreements with the Department are not required to pay guarantee deposits.

In lieu of a cash deposit for each water meter, Developers of major subdivisions requ individual water meters during construction may place with the Department a letter of c guarantee acceptable to the Department in an amount equal to the required deposits for a completed during the subsequent twelve month period. That amount may be adjusted a penalties, violation fees or other fees owed by the Developer may be withdrawn from Department.

1. SUBMETER ACCOUNTS – Submeters are normally read by the Department at the domestic service is read. The readings obtained from the submeter are used to red service billings by the amount of water usage indicated on the submeter.

For certain submeter accounts, the Department may require the Customer to provide th quarterly readings by telephone. Failure to provide such readings by the date establish in no sewage disposal service billing reductions being allowed for two billing periods In terminate the agreement to receive credits from the submeter. Any credits issued based submeter will be debited to the Customer's account. Any customer wishing to re-estab purposes shall be required to re-certify the submeter as established by Department polic charges.

1. DELINQUENT BILLS - Bills are due when rendered, and if not actually received at or designated to collect payments on or before the past due date set forth on the Custc charge to defray Department costs and expenses shall be added to the water and/o actually received within forty (40) days of the date rendered, the service may be termination of the account with the Department. Upon termination of service, the guaran

the outstanding bill for that Customer and a final bill shall be rendered showing the balance. Any remaining balances from the deposit shall be either credited to any outstanding balances in other bills for that Customer or refunded to the Customer.

Service will not be reinstated until the final bill is paid in full and the Customer makes appropriate guaranties at the then established rate.

A Customer's water service shall be discontinued and no new application shall be accepted until there remains no outstanding final bill for unpaid water and/or sewer service at any other time when service was rendered in that customer's name.

Removal of late penalty charges may be allowed at the discretion of the Department, not more than one month period.

1. **TERMINATION** - The Department shall have the right to terminate water and/or sewer service if a Customer has failed to pay in full the total amount due as indicated on their bill for service, including water and sewer hydrant charge, stormwater utility charges, water and sewer connection charges and other charges lawfully imposed. The Department may grant payment arrangements to a Customer in good faith in the payment of their bills, and have provided evidence of need or unusual circumstances. Any payment arrangement is a signed, written agreement between the Customer and the Department. In the Department's discretion, shall determine the length of the payment arrangement, frequency of payment, and amount of payment.
1. **INTEREST ON UNPAID WATER AND SEWER SERVICE CHARGES** - Unpaid balance of water and sewer service rendered by the Department, and payment arrangements, shall accrue interest at the prevailing legal rate. Said interest charge's imposition shall commence sixty (60) days after the date the water and sewer charges as set forth on the Customer's bill and shall be cumulative under Section (7).
1. **LIEN FOR UNPAID WATER AND SEWER SERVICE CHARGES** - To the extent all unpaid water and sewer charges and interest accruing thereupon, for water and sewer service rendered to any person or entity after the effective date of the ordinance, which remain unpaid sixty (60) days after the date the water and sewer charges, shall become a lien against and upon the real property to which such service has been furnished to the same extent and character as a lien for a special assessment. The said charges, late charges, and interest accrued thereupon shall be, remain, and constitute a lien equal in rank and dignity with the liens of county ad valorem taxes and superior in rank to all other encumbrances, titles and claims in, to or against the real property involved, for a period of one year after the date said charges become a lien as set forth in Section 32-93 of the Code of Miami-Dade County, Florida. Said lien shall be enforced and satisfied by the Department pursuant to Chapter 173, Florida Statutes, as to time, or by any other method permitted by law. The lien provided for herein shall not limit the availability of other legal remedies for payment available to the Department including, but not limited to, the remedies provided in Chapter 173, Florida Statutes.

of water service. Certificates of Lien will be issued by the Department when requested. The seven (7) working days. For 24 hour requests, the response time will be within one (1) for each address will be required in the amount specified in the Department's Schedule. The Department reserves the right to lien property in accordance with any applicable Code of Miami-Dade County and nothing in this section shall work to limit this right.

1. **BILLS FROM ANOTHER LOCATION** - A Customer's water service shall be discontinued if the Customer does not pay the Department for water service rendered to that Customer at another location if that other location is at least thirty (30) days past due, based on the past due date on that other location. Service shall be discontinued in accordance with the Department's policies and procedures sent to the Customer at the new address.

1. **EVIDENCE OF CONSUMPTION** - Meter registration will determine the amount of service rendered. The meter readings shall serve as prima facie evidence of the quantity of water delivered.

1. **CUSTOMER SERVICE COMPLAINTS - DUE PROCESS**

A Customer desiring to dispute his water and/or sewer bill may contact the Department regarding his account. If the investigation sustains the original reading and billing, and the Customer still desires to dispute his bill further, he will be advised by the Customer Relations Section that he is entitled to a hearing (see Section 2.06). An investigation is not a prerequisite for a customer to request that a hearing be held (see Section 2.06(6) herein).

After the certified test has been completed, the Customer will be notified as to the results. If the test is found to be accurate, and the Customer still desires to dispute his billing, he may request a hearing (see Section 2.07 (14) herein).

1. **ADMINISTRATIVE HEARING** - Any Customer of the Department who wishes to dispute his billings may request an administrative hearing. Upon receipt of such a request, the Department will schedule a hearing and time for the hearing and notify the Customer, in writing. Each administrative hearing shall be conducted by a representative of the Department and presided over by a Hearing Officer. The Hearing Officer will hear the evidence, testimony, and other information presented at the hearing and will make an initial ruling. The Hearing Officer's ruling will be conveyed in writing to the Customer. The ruling of the Hearing Officer shall be the final Department action on the matter. No customer shall be entitled to a hearing for disputes more than four years old. The Hearing Officer shall not recommend adjustments of billings over four years old.

Except as to those matters reviewable by the County Commission as expressly set forth in the County Code, a decision of the Hearing Officer shall constitute final administrative action and shall not be subject to further administrative appeal. Any person aggrieved by the decision of the Hearing Officer may file a petition for review with the County Commission.

2.08 RATES AND CHARGES

1. RATES FOR DOMESTIC WATER SERVICE - The rates specified in the Department's Charges, shall apply to all Customers of the Department.
2. RATES FOR WATER SERVICE FOR FIRE PROTECTION PURPOSES - The fixed rates firelines for fire protection purposes, based on the size of the connection, are specified in Rates, Fees and Charges. In addition, a customer shall pay for water usage through fireline meter, based on the Department's retail rates.
3. FIRE HYDRANT SERVICE CHARGE - A Fire Hydrant Service Charge, as specified in Rates, Fees and Charges, shall apply for all customers within the Department's service hydrant on the Department's water mains. This charge covers the cost of installa maintenance of those fire hydrants, in addition to the cost of water service. This charge temporary meters, fire lines or for sprinkler irrigation service.
4. REIMBURSEMENT FOR EXTRA EXPENSES - The Customer shall reimburse the Dep (such as for special trips, inspections, disconnecting and reconnecting service, replace missing Department property, additional clerical expenses, and similar services.) incurre of a delinquent bill, the Customer's violation of the contract for service or the Departme any additional cost not directly related to water and sewer service which is incurred b service to a Customer. However, in no event shall the charge be less than \$5.00.
5. TAX CLAUSE - All of the Department's rates, including minimum and other charges dependent upon Federal, State, County, Municipal, District and other Governmental impositions, and may be increased or a surcharge added if and when any or all of such impositions are imposed or increased.
6. CONNECTION CHARGES - Connection charges are computed as a rate, specified in Rates, Fees and Charges, per average daily rated gallon for new or increased usage charges shall be held in a special fund or funds by the Department to be utilized so facilities to the extent new usage requires new facilities. Limitations on expenditures fro to July 1, 1974. The basis of calculation for average daily rated gallonage is found in S Miami-Dade County, as currently in effect and as may be amended in the future. For usa the Department shall estimate the daily gallonage The gallonages in said Section are for of calculating connection charges and will be used for that purpose regardless c requirements of individual developments or building units. However, if the Department l usage of the building, and if the property owner or developer can demonstrate that the building as previously used is greater than the average daily gallonage of the proposed

not be collected. The Department's evaluation of this demonstration shall be binding.

7. EXCEPTIONS -

- a. SUBDIVISION - a property owner in a subdivision may connect into an app without fee providing that Developer has paid the entire connection charges : water main facilities in the subdivision.
- b. CHARGES ESTABLISHED BY THE DEPARTMENT AND APPROVED BY COMMISSIONERS - In areas where other charges have been or may be estab approved by the County Commission, such charges shall supersede charges out have been lawfully changed or altered.

2.09 PENALTIES

The Department may discontinue water service to any Customer for any infracti regulations, for non-payment of bills, or for any reason that may be detrimental to t Department has the right to withhold service until the reason for the discontinuance is c Department are paid. These costs may include delinquent billings, turn-off and turn-c damage caused to the water system. Should a discontinued water service be turned Department shall have the right to have the water meter removed and to make an appro

2.10 BILLING ADJUSTMENTS -

1. TYPES OF ADJUSTMENTS - Billing adjustments will be made for the following reasons:

- a. Incorrect meter reading
- b. Over or under estimate, which may occur when the Department is unable to ga Section 2.06 (3) (h)).
- c. Leakage occurring at the outlet side of the water meter, which would cause reg meter.
- d. Acts of Vandalism - Customer shall report such acts immediately to the Departm service until the Customer's plumbing can be fully repaired. The Customer sh repair, and police case number. Adjustments will determined similarly to those fc in Section 2.10 (e) and 3.10.
- e. Concealed Leaks - For customers billed on quarterly basis, for leakage occurring the Department will assume 50% of water loss, as determined by Department, average, or on the rate of consumption after repair has been made. This adju billing period in which the repair was made and the previous billing period. In orc customer must provide the Department with the following:

1. Within fifteen (15) days after notification by the Department to the customer that a plumbing problem may exist, the Customer must provide the Department with a letter identifying the person who has made the repair. This letter must contain the date the repair was made and the material used to make the repair.
2. The area of the repair should be left exposed (the customer must insure that the repair does not exist as a result of the repair), for inspection by the Department's investigator.
3. The investigator's report will indicate if the repair has been made and if there is any indication of excess consumption. In order to make a proper evaluation, the investigator must be allowed to enter the property in order to determine if there is any indication of excess consumption. However, the investigator is not obligated to check any other part of the property.
4. No adjustment will be made for leaks occurring in toilets, hot water heaters, washing machines, valves, spigots, or any other item or plumbing fixture inspected.

If the customer is billed on a monthly basis, adjustments shall not be made for leaks occurring on the Customer's plumbing, including visible, hidden or concealed leaks.

2. **CORRECTED BILLING** –The Department shall take all required action to correct the billing and shall have the authority to correct the billing for any underbilled or unbilled charges, if they were caused by the Department, the Customer or a third party, for a period limited to four years. Florida Statutes, Sec. 95.011. If true readings or consumptions are not available for the rebilling, the Department shall use actual consumption recorded at the service location to calculate the rebilling. If it is not possible to determine the actual consumption for any time period, the Department shall base the rebilling on the average anticipated consumption.

A condominium association shall be liable for back billed charges regardless of a turn of ownership. This also applies to all other multiple units served through one meter.

A Customer may be given an appropriate credit on back billed amounts if the error was not prevented by the Customer from knowing about an excessive use or loss of water which was corrected if given proper notification.

- a. In correcting amounts billed on the wrong meter, the Department shall rebill back to the Customer based on the Department's meter readings for all the Customers involved, but in no event shall the Department provide credits for periods beyond four years.
- b. Corrected billing and/or adjustments related to the accuracy of the meter's registration shall be made within 30 days of the discovery of the error.

are discussed in Section 2.06 (6).

2.11 INVESTIGATIVE PROCEDURES

1. HIGH BILL POLICY - Any account which indicates a single billing cycle consumption that is higher than the previous year's average shall be automatically investigated by the Department with the Customer. Additionally, any account which indicates a single billing cycle consumption that exceeds the previous year's average by more than 50 percent, shall be investigated by the Department, at the Customer's expense. The investigator will determine if the meter has been correctly read and attention is continuing registration, which may indicate leakage on the Customer's property. How the investigator will check any internal or external plumbing belonging to the Customer.
2. CHECK READ - The Department, at the request of the Customer, will re-verify any meter reading that is higher than the previous year's average at no charge to the Customer. If the meter reading is not verified and consumption is less than a 25% increase over the previous year's consumption, a service charge as specified in the Department's Schedule of Rates will be applied to the Customer's account. If the meter is found to have been read incorrectly, an adjustment will be made to the billing.

2.12 TERMINATION OF WATER SERVICE TO THREE OR MORE UNITS SERVED BY THE SAME METER

If a bill for a multiple unit is delinquent (see Section 2.07 (7)), the Department will mail a notice to the unit manager, fourteen (14) days prior to the termination of water service, requesting payment of the delinquent bill. Seven (7) days prior to the termination of service, the Department will attempt to give written notices to all residents of such unit, describing the Department's intent to terminate service or the Department's intent to refer the matter to the appropriate regulatory agencies will be notified prior to termination of service.

SECTION 3 SEWAGE COLLECTION AND DISPOSAL SERVICE

3.01 CLASSES OF SEWAGE DISPOSAL SERVICE AVAILABLE

The Department renders sewage disposal service of four general classes:

1. CUSTOMERS WITH DEPARTMENT WATER SUPPLY - A retail Customer of water supply

receives sewage disposal service through existing sewers owned by the Department.

2. CUSTOMERS WITH OTHER SOURCES OF WATER SUPPLY - A Customer who dis Department's Sewage Disposal System and is supplied with water from sources, pu Department.
3. INDUSTRIAL WASTES - Sewage or liquid wastes from any manufacturing or industrial p including storm water, which shall be such as to impose a burden upon the Sewage Disj burden imposed by the average sewage entering the sewer system. Charges for disposa are established by Ordinance No. 92-15. Such charges are amended from time Department's Schedule of Rates, Fees and Charges. The Department has the rigt industrial wastes.
4. SEPTIC TANK WASTES - All septic tank and/or sewage treatment plant sludge digester to a Department-owned treatment plant by tank trucks. A charge for treatment and dis made in accordance with the Department's Rates Fees and Charges.

3.02 REQUESTS AND AGREEMENTS FOR SERVICE

1. WITH WATER SERVICE APPLICATION - When sewage disposal service is available to sewage disposal service are automatic with water service application.
2. AUTHORIZATION FOR CONNECTIONS - Connections to the sewage disposal system, e authorized by the Department in advance of said connections. Connections of service lat system shall not be permitted.
3. CONNECTIONS TO SEWERS - Where existing service laterals have been provided, the expense of connection to the facilities within his property. It is the Customer's responsil service lateral meets Department standards. Any modifications, adjustments or repairs t meet Department standards shall be at the expense of the Customer and shall be com sewer service by the Department. Where existing service laterals have not been prc responsible for the installation and connection from the sewer main to the facilities with such connections shall be performed by a Contractor with plans approved by the Depa inspection by authorized personnel of the governmental agency(ies) having jurisdiction. pay all connection charges and construction connection charges, if any.

4. SERVICE AVAILABILITY FROM EXISTING SYSTEMS - Sewer service to any structure only be rendered from Department-owned sewers in public rights-of-way or easement. The determination as to the availability of service from existing facilities shall be Department. The Department shall have the right to require extensions of its facilities for such permanent legal agreements, which the Department deems necessary in order section, in accordance with Section 3.04 (2).
5. LARGE VOLUME SEWAGE DISPOSAL SERVICE CONTRACTS - Sewage disposal service obtained in accordance with terms and conditions outlined in contracts with the County or other municipalities.
6. DEVELOPER AGREEMENTS - Agreements for the provision of sewage disposal service requiring the construction of sewer facilities shall, upon request by a Developer, be prepared prior to the Department's preparation of the agreement. The Department must obtain final approval from the County Board of Supervisors prior to the construction of sewer facilities. In accordance with County Administrative Order 2010-01, the Department shall not prepare or offer an agreement to the Developer if the Developer is in arrears to the County.

3.03 CONTINUITY OF SERVICE

The Department will at all times use reasonable diligence to provide continuous service, and will not be liable to the Customer for failure or interruption of service. The Department will not be caused directly or indirectly by strikes, labor troubles, accidents, litigation, shutdowns for repairs or governmental agencies, failures of electric power, acts of God or other causes beyond its control. If the Department is unable to provide sanitary sewage service to a property from one of two mains, the removal of one such main is considered to be an interruption of service.

3.04 EXTENSIONS

1. PLANNED EXTENSIONS - The Department may from time to time, through the creation of special taxing districts or by other means, plan sewer extensions in specific areas of the County. The location, extent, and terms of payment may be set forth individually by County ordinance or resolution.
2. SEWER MAIN EXTENSIONS AND PUMP STATIONS REQUIRED OF DEVELOPERS - Sewer facilities shall be extended to serve properties served by sewer main extensions required by developers, sewer facilities shall be extended to serve properties served by sewer main extensions required by developers.

- a. APPLICATION - (BY DEVELOPERS OR OTHERS) - An application shall be for sewer service under the provisions hereof, and shall be in writing and signed by the Developer. Said application shall be filed with the Department a fee as specified in the Department's Schedule of Rates, Fees and Charges, a property on 8.5" x 11" paper, with two (2) certified original boundary surveys to indicate the name, street address, lot and block number, the street frontage of each property, proof of zoning, proposed usage, and such other additional information the Department may require. Each applicant shall agree to connect to and use the Department's sewer service. No sewers, or connections to sewers, will be extended until the charges for sewer service have been provided for.
- b. PROCESSING OF APPLICATION - Upon receipt by the Department of a proper application for a main extension, it will be evaluated, and if not feasible, returned with the proper explanation. If the Developer decides to proceed further with the project and final zoning of the project is approved, the Department shall, at the owner's request, prepare and submit an agreement specifying the terms of service and related costs, other than construction costs, to the Developer. The Developer shall obtain a current attorney's opinion of title, in a form acceptable to the Department. The Developer is the owner in fee simple of the property to be covered by the agreement.
- c. BASIS OF PAYMENT FOR EXTENSIONS - The cost to the Developer shall be based on the charges and construction costs as further outlined. The allocation of costs for over and above the standard sewer service regard to off-site sewers are outlined in Section 3.05 (1) (f) and (i) hereinafter.
- d. SEWER EXTENSIONS - In addition to any required off-site sewers, each Developer requesting sewer service shall install, as required by the Department, a gravity sewer main along the boundary line of said property which actually abuts a public road or street, provided that the gravity system is feasible. However, in its sole discretion, the Department may require the Developer to install additional gravity or force sewer mains as the Department may deem necessary in the public interest and the orderly development of a county-wide sewer system in accordance with the criteria established by the Department. Such additional gravity or force sewer mains shall be installed along all or part of the boundaries of the remainder of the property that is to receive sewer service. At the discretion of the Department, a gravity sewer main may be allowed in lieu of an extension to a proposed manhole location.
- e. REDEVELOPMENT - When property already served by the Department is to be redeveloped or otherwise improved, the Department shall require the Developer to improve the sewer service to the property so as to comply with prevailing Department's standards.
- f. SEWER MAIN EXTENSION FROM PUBLIC RIGHT-OF-WAY - Sewers shall be installed from the Developer's property to the public right-of-way or easement. The sewer main shall be located in the parcel of the Developer's property which will receive service.

3. LIMITATION OF USE - In no case shall a Customer extend his plumbing across a street or other highway, in order to furnish service for an adjacent property though one service later property is owned by him. In case of such unauthorized connection, the Customer's service shall be discontinued until such unauthorized connection has been discontinued and full payment for service, calculated under proper classifications and rate schedules, and until reimbursement of all extra expenses incurred for clerical work, testing and inspections.
4. RIGHT TO REFUSE SERVICE - The Department shall have the right at all times to refuse service of a use detrimental to the sewer system, lack of payment of required fees, or for any reason. The Department, will cause the extension not to be in the public interest. No payment of any cost or any other act to receive sewer service shall guarantee sewer service.

3.05 CONSTRUCTION OF SEWERS; CONNECTIONS

1. SEWER CONSTRUCTION BY DEVELOPER - Sewers to be constructed by a Developer shall be in accordance with the following provisions:
 - a. PLAT APPROVAL - In the case of a subdivision, the application shall be accompanied by a plat, or, in the case of a new subdivision, an approved tentative plat, or preferably a master scale development plan plus a plan showing the location of proposed sewer extensions.
 - b. PLANS APPROVAL - Prior to construction, the Developer shall have plans and application approved by the Department and to other appropriate State and Miami-Dade County agencies for a design and sealed by an engineer registered in the State of Florida. Construction shall not proceed until necessary approvals have been issued.
 - c. OTHER GOVERNMENTAL APPROVAL - Prior to final acceptance, all such sewer extensions shall be approved by appropriate State agencies, Dade County Department of Environmental Resources, and the Department.
 - d. MATERIALS AND CONSTRUCTION STANDARDS - All materials and labor shall meet the standards required by the Department in its manual entitled "Design and Construction Standards" currently in effect and as may be amended from time to time by the Department. All construction shall be in strict compliance with the plans approved by the Department and under the inspection of the Department for compliance with the standards of the Department and either the appropriate municipality's Works Manual, or Florida Department of Transportation, whichever is applicable.
 - e. COSTS - The Developer will pay all connection charges and construction costs prior to connection to the sewer system unless otherwise specified in an agreement between the Developer and the Department. The cost will be the cost of sewer lines of sufficient capacity to collect the sewage in the proposed extension to the nearest adequately sized Department sewer. Connection charges are defined here.
 - f. OVERSIZING - The Department reserves the right to oversize any extension and will pay on the basis of additional costs beyond that necessary to serve only the subject development. The amount as specified in the Department's Schedule of Rates, Fees and Charges may be used for oversized main. The amount will be determined by the Department based on construction credit to the Developer for the cost of the Department's share of oversized sewer mains and a payment from the Department to the Developer, said payment to be made with the conveyance of the facilities to the Department of the oversized sewer mains. The Department will limit the amount of its participation in the cost of oversizing, depending on current conditions and factors. The rates of credit related to the difference in diameter between the pipe required by the Developer and the pipe required by the Department to be installed are specified in the Department's Schedule of Rates and Charges. Should the amount of credit to be due to the Developer exceed the amount provided by Florida Statutes, the developer shall post a bond sufficient to insure payment of all such costs. If the developer fail to post a bond, that developer shall indemnify and hold harmless the County.

the County brought by a subcontractor or supplier for payment on the developer's project. Till for one year from date of completion of the project.

- g. MAINTENANCE BOND - Sewers installed under this Section shall become part of the Department before acceptance, a maintenance bond, equal to the amount of 100 percent of the cost of the stations, 50 percent of the construction cost for gravity sewers and 25 percent of the construction cost for force mains shall be required to guarantee all work and materials for a period of one year after acceptance. Terms and conditions of the bond must meet the Department's standards.
- h. CONSTRUCTION PERMIT - A permit for construction must be obtained by the Developer from the appropriate governmental agencies.
- i. REPAYMENT POLICY - In those cases where a Developer does not utilize all of the capacity of a sewage pump force main extension he has paid for, owners of other properties adjacent to such facility may connect to the force main by paying a construction connection charge. This construction connection charge will be calculated by dividing the pumping station rated capacity into the actual capacity of the force main plus ten (10) percent for engineering and overhead less the Department's fixed costs, if any, and multiplying the resulting rate per gallon by the connecting project's estimated volume of wastewater. The charge will not be required or collected by the Department for residential buildings occupied or under construction on the date of the Department's service agreement with the Developer. This policy also applies to force mains installed by the Department. In the event the Department has oversized a gravity sewer or force main a Developer for such oversizing as provided hereinabove, construction connection charges for future connecting properties will be paid first to the Department up to an amount equal to the cost of the oversized facility.

In those cases where a Developer does not utilize all the capacity of a sewage pump force main combination, others may utilize such station by paying a construction connection charge. This construction connection charge will be calculated by dividing the pumping station rated capacity into the actual capacity of the force main plus ten (10) percent for engineering and overhead less the Department's fixed costs, if any, and multiplying the resulting rate per gallon by the connecting project's estimated volume of wastewater. The charge will not be required or collected by the Department for residential buildings occupied or under construction on the date of the Department's service agreement with the Developer. This policy also applies to force mains installed by the Department. In the event the Department has oversized a gravity sewer or force main a Developer for such oversizing as provided hereinabove, construction connection charges for future connecting properties will be paid first to the Department up to an amount equal to the cost of the oversized facility.

Per annum simple interest will accrue on all construction connection charges from the date of sale for the sewer facilities at the rate authorized from time to time by Section 687.01, Florida Statutes.

The Department will make every effort to collect applicable construction connection charges as specified by agreement between the Department and the Developer. The Department shall not be liable for monies collected by the Developer but shall only be liable for monies collected. A Developer shall not be repaid for his investment, less his use, in the sewer facilities. Such repayments shall only be made if the Department is unable to collect the charges.

commencing with the date of the Developer's bill of sale for the sewer facilities. responsibility to provide the Department with a current mailing address during the twelve

1. **PUBLIC EASEMENT REQUIRED** - No sewer main facility will be installed under the Department's easement unless it is accepted by the Department for operation and maintenance unless it is in a public right-of-way. The easement shall have a minimum width of fifteen (15) feet with twenty-five (25) feet minimum vertical clearance. The sewer pipe shall be installed at the center of the easement, and the Department shall have 24-hour access for emergency purposes. Conveyance of all easements shall be by a separate document in writing, approved by the Department and shall be accompanied by a written certification by an attorney licensed in the State of Florida that the Developer is the owner in fee simple of the property to be conveyed by the easement. Upon execution by the Developer, a valid and enforceable easement in the Developer's property shall be conveyed to the Department. No sewer main facilities to be owned and operated by the Department shall be installed within the Department's easement, unless approved in writing by the Department. No encroachments will be allowed within the Department's easement, unless approved in writing by the Department.
2. **CONVEYANCE AND OWNERSHIP** - All sewer facilities and appurtenances to be owned and operated by the Department shall be conveyed to the Department by proper Bill of Sale immediately after the Department's construction of said facilities. The Developer shall also provide copies of paid bills and invoices for materials and labor satisfactions together with a breakdown of the actual cost of said facilities. Concurrently with the conveyance of said facilities, the Developer shall furnish the Department with one (1) set of Mylar as-built drawings of the sewer facilities in the Department's manual entitled "Design and Construction Standard Specifications and Regulations" and appurtenances as located by a licensed surveyor, along with four (4) prints of the as-built drawings of the sewer facilities sealed by the surveyor and certified by the Engineer of Record. In addition, the Developer shall provide the Department with a maintenance bond or alternate security deposit acceptable to the Department, for a period of one (1) year after the Department's final acceptance of said facilities, in the amount of twenty-five (25) percent of the actual cost of said facilities for gravity sewers and one hundred (100) percent for sewage pump stations of the actual cost of said facilities, to protect the Department against losses resulting from any and all defects in materials or workmanship of facilities. When accepted and properly conveyed to the Department for ownership, maintenance and operation, said facilities shall become and remain the property of the Department, and no person shall be allowed to use said facilities for any purpose other than that provided for herein, or by causing any construction of facilities accepted by the Department for ownership, maintenance and operation in any of these facilities, or any portion thereof, other than the privilege to have his proper service in accordance with these procedures and regulations.
3. **MINIMUM SIZE, VELOCITY, AND LENGTH OF GRAVITY SEWERS** - The minimum size of sewer lines shall be six (6) inches in diameter. The minimum size of all sewer lines shall be eight (8) inches in diameter for gravity sewers. The minimum velocity in gravity sewers shall be two (2) feet per second.

The minimum depth of cut to invert shall be three (3) feet for service laterals and four (4) feet for main lines.

The minimum inside diameters of sewer manholes shall be twenty (20) inches for the cover and eighteen (18) inches at the base.

New gravity sewers shall discharge into existing gravity sewers where possible. In the event that a new gravity sewer is required, the design of the tributary gravity system shall be such as to permit the present gravity system's gravity service area to the maximum practical extent.

The design and layout of the system shall be subject to approval by the Department as to standards and its master sewer plan. The Developer shall include provisions required by the intent of such master planning and will be reimbursed for the additional cost of oversized force

1. MINIMUM SIZE OF FORCE MAINS - The minimum size of force mains shall be eight (8) inches. All force mains shall discharge into existing force mains.

1. SEWAGE PUMP STATION REQUIREMENTS

- a. Should a sewage pumping station be required to serve the property of a Developer, it shall be a public pump station. It is the Department's policy to require a sewage pump station of not less than 100 Gallons Per Minute (GPM) capacity. A permanent emergency generator housing to be built by the Developer. In order to keep the station depth less than twenty-four (24) feet and the gravity system as shallow as possible, the location shall be as close as possible to the geographical center of the quarter of a square mile.

- b. A private sewage pump station will be allowed to serve the property if all of the following conditions are satisfied:

1. single family or duplex building units will not be constructed on the Developer's property;
2. the Developer executes the Department's Unity of Title or Covenant in Lieu of a Deed; and
3. a gravity sewer extension to a Developer's property from an existing City sewer is not feasible, based on sound engineering practices.

Notwithstanding the conditions listed above, the use of a private pumping station will be allowed to serve other unimproved properties which may be served by means of gravity sewer extension, provided a pump station is installed on the Developer's property.

- c. In cases where the Developer will connect to the Department's existing sewer system, the Developer is required to make improvements to the existing force main system and/or the existing gravity system. In the case of the installation of a new sewage pump station, the Developer may be required to connect to the existing force main system.

- d. The Developer shall convey to the Department fee simple title to the property on which the station and emergency generator to be owned by the Department is situated, subject to restrictions which are acceptable to the Department. The land shall be sufficient for the operation by the Department of said station and emergency generator. Concurrently with the conveyance, the Developer shall furnish the Department with one (1) set of Mylar as-built drawings showing data as furnished by a licensed surveyor, four (4) prints of the as-built drawings which have been sealed by the Engineer of Record, as well as five (5) sets of appropriate manuals for operation and other mechanical and electrical equipment. In addition, the Developer shall also submit a letter from Miami-Dade County showing the address issued to the site.
 - e. Developers who are required, in accordance with Department standards, to install an emergency generator with a capacity exceeding more than one hundred (100) GPM (peak), will be required to provide generator housing at the pump station site for a future emergency generator. The size of the site and the site plan. The next Developer or the next project connecting to the station will be required to pay to the Department a contribution toward the design, purchase and installation of the emergency generator prior to the provision of water and/or sewer service. When on a new sewage pump station and/or the proposed development to be constructed by the Developer exceeds one-half (1/2) of the total capacity of the sewage pump station, it shall be the responsibility of the Developer to also install the emergency generator. The timing for this shall be as described in the agreement between the County and the Developer at the time of reaching the mid-point of the development, measured in number of meters installed. The Developer shall be eligible to receive reimbursement for the sewage pump station and the generator housing may be eligible to receive reimbursement for the generator housing.
 - f. The Developer will be entitled to reimbursement of a portion of its cost of installing a new emergency generator for a force main as other parties utilize that station, in accordance with Section 3.05 (1) (i) of the Department's Standard Specifications and Details.
2. APPROVALS - No sewer main extension will be accepted by the Department without the approval of the Department of Engineering, Miami-Dade County Public Works Department and appropriate State agencies, including the Department of Transportation.
3. UNAUTHORIZED WORK ON SEWER SYSTEM - No person shall tamper with, work on, use or in any way alter or damage any Department sewer or sewer appurtenance without the written approval of the Department. Further, no unauthorized person shall cause storm water, ground water, or any other material to enter the sanitary sewer system, including sanitary sewage from septic tank, sump pump, or other source, or connection of downspouts of air conditioning condensate lines into the sewer system, raising the water level in the sewer system, the dumping of garbage, refuse or other wastes in manholes, the draining of sump pumps or any other means of causing or allowing any substance not considered sanitary sewage or storm water to enter the sewer system. The offending person shall pay the total cost of all damages caused by the tampering and be subject to all penalties as may be provided by law. The Department may sue any person or persons to the full extent of the law. All materials illegally connected to the Department's sewer system shall be confiscated by the Department and held as prima facie evidence for further legal action. This section shall be in accordance with Section 8CC of the Miami-Dade County Code and Section 812.12, Florida Statute, and as may be amended in the future.

4. COMMON HOUSE CONNECTIONS - A single connection serving two or more properties will common plumbing to two or more lots or parcels be allowed. All apartment buildings with individual water meters shall also be required to have individual sewer laterals.
5. EXTENT OF DEPARTMENT MAINTENANCE - The Department shall not be responsible for the maintenance of house connections to the service laterals nor for privately owned pumping stations, but the Department shall be responsible only for the repair and maintenance of all public sewer mains in the Department's system and shall make a diligent effort to inspect and keep these in good condition.
6. CUSTOMER'S MAINTENANCE - The Customer shall be responsible for the maintenance of the house connection at the point of delivery into and including the house plumbing. If a single lateral serves a single property, as opposed to a common lateral utilized for two (2) adjacent properties, the Customer shall be responsible for keeping the service lateral, in addition to the plumbing, free from obstruction. The Department shall have the right to inspect the house connection and plumbing and to disconnect service to any Customer or property owner who fails to maintain the plumbing to the extent as to cause harm to the sewer facilities. If the Department is requested by a Customer to investigate a problem with the sewer system and it is determined that the problem is within the plumbing for which the Customer is responsible, the Customer shall be charged as established in the Department's Schedule of Rates, Fees and Charges.

In the case of municipally or privately owned utilities, the Department's responsibility for the sewer system shall extend to the point of connection to the Department system. The Department retains all rights to insist that users of the system use the utilities' facilities and to exclude infiltration and/or harmful wastes by the owners.

3.06 REGULATION OF DISCHARGES

1. PURPOSE - It is the purpose of this section to establish rules and regulations concerning discharges to the sewer system, including the determination of the acceptability of discharges; the pretreatment of discharges; and the limitations on certain discharges. This Section shall not supersede any County ordinance or resolution, and users of the system shall be bound by such ordinances and statutes.
2. ACCESS TO PREMISES FOR INSPECTION OF DISCHARGE - INSPECTION CHAMBERS - The Department shall at all times have free access to the premises of any user of its facilities, or of any person reasonably believed by the Department to be a user or possible user of its facilities, for the purpose of inspecting, sampling, or testing the discharge emanating therefrom, in order to determine if the discharge is acceptable or unacceptable to the Department. Where necessary, the owner of any premises which discharges to the System shall be required to install a suitable inspection chamber and necessary meters and other appurtenances in the building sewer to facilitate observation of the discharge, or potential discharge. Such chambers, when required, shall be constructed in accordance with standards approved by the Department. The chamber shall be installed at the owner's expense and shall be safe and accessible at all times.

3. ACCEPTABILITY OR UNACCEPTABILITY OF DISCHARGE - DETERMINATION BY DEP, working in conjunction with the Department of Environmental Resources Management, shall determine the acceptability or unacceptability of any discharge to the System. Such a determination shall be made on the basis of operational evaluations taking into consideration the nature and concentration of the discharge, the receiving system, its compatibility with other discharges in the system, its compatibility with the treatment process, and other factors pertinent to the effect of the discharge on any part of the system or treatment process.
4. UNACCEPTABLE DISCHARGES - Unacceptable discharges shall include, but not necessarily be limited to, discharges that have been determined by the Department to:
 - a. Contain materials or substances which would constitute a hazard to life and limb of personnel performing maintenance, and operation of the System.
 - b. Contain materials or substances which are toxic as defined in these regulations.
 - c. Contain materials or substances which are in any way deleterious to any part of the system.
 - d. Contain concentrations of any toxic or deleterious materials or substances in excess of those permitted in accordance with these regulations.
 - e. Cause the Department to incur excessive expense in the handling or treatment thereof.
 - f. Be incompatible with the treatment process or inhibit the performance of the treatment process at the treatment facility.
 - g. Be of such volume or contain such BOD, suspended solids, or other material load which would cause the treatment facility to exceed its design capabilities.
 - h. Cause a treatment facility of the Department to fail to meet effluent requirements set by state or federal agencies or cause such effluent to have a degrading effect on the receiving body of water.
 - i. Contain viable pathogenic organisms in such quantities as to be a hazard to public health.
 - j. Cause a treatment facility of the Department to fail to meet effluent requirements as established in the Department's Operation Permit for its sewage treatment plants.
5. UNACCEPTABLE DISCHARGES - REFUSAL OF SERVICE - The Department may refuse to accept discharges at its facilities to any person whose discharge is determined by the Department to be unacceptable under the provisions of this section.
6. UNACCEPTABLE DISCHARGES - PRETREATMENT PERMITTED - Any person whose discharge is determined by the Department to be unacceptable in accordance with the provisions of this section may apply for and receive permission to pretreat such discharge by the use of a method of pretreatment design approved by the Department as acceptable.
7. ACCEPTABLE METHODS OF PRETREATMENT – REVIEW BY DEPARTMENT – REFUSAL OF SERVICE METHOD - The acceptability of a pretreatment method for any given discharge, an application for such approval, and the terms for the installation and use thereof, shall be determined by the Department.

Such a review shall be made on the basis of sound engineering and operational evaluations taking pertinent to the effect of the discharge both before and after pretreatment on any part of the S

8. INSPECTION OF PRETREATMENT FACILITY BY DEPARTMENT- Pretreatment facilities shall be inspected by the Department in order to determine if such facilities are efficiently performing and properly installed.
9. COST OF PRETREATMENT TO BE BORNE BY USER - All costs incident to pretreatment and the acquisition, installation, operation, maintenance, and repair of pretreatment facilities shall be borne by any extraordinary administrative or investigative expenses incurred by the Department as a result of pretreatment facilities shall be charged to the user.
10. DISCHARGE OF CERTAIN MATERIALS AND SUBSTANCES PROHIBITED - No person shall release or allow to run, leak, or escape into the Department's sewerage system any discharge substances considered by the Department to be toxic as defined in these regulations or to be part of the Department's sewerage system or treatment process. Certain materials shall be prohibited by the Department to be toxic or deleterious except in small quantities or concentrations. Should any materials or substances be released or allowed to run, leak or escape into the Department's sewerage system any such materials or substances, Customer will be held liable for any damages to the system caused by such materials or substances shall include, but not necessarily be limited to:

- a. Construction materials, ashes, cinders, sand, mud, straw, shavings, metal glass, wood, paunch manure, fur, wax, or any solid or viscous substance capable of causing odor or other interference with the proper operation of the sewerage system;
- b. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquids;
- c. Steam or hot water above 150° Fahrenheit (65° Centigrade);
- d. Any water or waste containing fats, wax, grease, or oils, whether emulsified or containing substances which may solidify or become viscous at temperatures between 32° and 60° C);
- e. Any waters or wastes having a pH lower than 5.5 or higher than 10 or having a character likely to cause damage or hazard to structures, equipment of the sewerage system, or personnel;
- f. Any water or waste containing readily releasable cyanide (cyanide released at pH=7.5 and pH=2.5) in excess of 2 mg/l ; any water or waste containing total cyanide in excess of 2 mg/l ;
- g. Coal tar, its derivatives and waste;
- h. Any liquids or wastes containing toxic or poisonous substances in sufficient quantity to injure or interfere with any of the sewage treatment process, to constitute a hazard to health or create any hazard in the receiving waters;

12. DISCHARGE OF CERTAIN MATERIALS PERMITTED CONDITIONALLY - Certain toxic materials, the admission of which into the System would otherwise be prohibited, shall be accepted if reduced by treatment at the source to a point that will meet the general purposes of these regulations.

within any applicable standards set thereon now or hereafter in accordance with these regulations, at small concentrations so as to not be injurious to personnel, sewers, any biochemical, biological process, or receiving waters. Such substances shall include, but not necessarily be limited to:

- a. Any alcohols, antibiotics, arsenic, arsenicals, bromine, iodine, chlorine, creosotes, fluorine, formaldehydes, mercury, mercuricals, phenols, phenol derivatives, silvermides, toxic dyes (organic and mineral), or zinc;
- b. Any strong oxidation agents such as chromates, dichromates, permanganates,
- c. Any chemical compounds producing toxic, flammable, or explosive gas alkalization, oxidation or reduction;
- d. Any strong reducing agents such as nitrates, sulphides, sulfites, and thiosulphates;
- e. Any waste from industrial processes, hospital procedures or commercial pathogenic organisms.

13. Specific Limitations on Certain Materials and Substances in Discharges - Compatibility Requirements - Table 1 lists the maximum allowable values for certain materials entering the Department's sewerage system. The Department reserves the right to establish standards not contained in this list. In setting additional standards, the Department will follow the standards of the Sanitary Engineering Control Act. In defining and interpreting the values in Table 1, reference shall be made to the Standard Examination of Water and Wastewater, American Water Works Association, latest edition.

TABLE 1

Chemical Physical or Biological Characteristic	Standards*
Biochemical oxygen demand	145 lbs/day not exceeding 200 milligrams/liter
Total suspended solids	145 lbs/day not exceeding 200 milligrams/liter
Oil and grease	100.0 mg/1 or 50 mg/1 as a daily average
Dissolved hydrocarbons	2.0 mg/1 Temperature 150°F and shall not cause the plant influent to exceed 104°F (40°C) or inhibit biological activity
pH	5.5-9.5 or capable of causing damage or hazard to structures, equipment, or personnel

	of the sewage system
Arsenic	0.1 mg/1
Barium	50.0 mg/1
Cadmium	0.5 mg/1
Sources operational after 8/31/82	0.25 mg/1
Chromium	
Hexavalent	0.5 mg/1
Total	1.0 mg/1
Copper	0.5 mg/1
Lead	0.3 mg/1
For battery manufacturing	0.1 mg/1
Mercury	0.01 mg/1
Nickel	1.5 mg/1
Selenium	0.5 mg/1
Silver	0.4 mg/1
Thallium	0.05 mg/1
Zinc	1.0 mg/1
Total metals	2.0 mg/1
Total toxic organics	2.0 mg/1
Total hazardous organic materials, testing shall be limited to those organics reasonably expected to be present Cyanides, total	2.0 mg/1 0.1 mg/1
Phenols	2.0 mg/1
Polychlorinated biphenyls	0.008 mg/1

The above limitations are intended to apply generally to all industrial users within the Department's service area. If State or Federal regulatory agency regulations require a specific pretreatment concentration for a specific discharge, and such concentration is more stringent than the concentration level in these regulations, such regulations will apply.

13. DISCHARGES CONTAINING GROUND GARBAGE - APPROVAL OF CERTAIN SIZE OF DISCHARGE - A discharge to the Department's sewerage system containing garbage may be made acceptable by dilution, provided however that the installation and operation of any garbage grinder equipment of less than (3/4) horsepower (0.76 h.p. metric) or greater shall be subject to review and approval by the Department prior to installation and operation and to periodic inspection by the Department thereafter.

14. DISCHARGES CONTAINING ACIDS AND BASES - NEUTRALIZATION REQUIRED - Any discharge found to be unacceptable pursuant to these regulations shall be neutralized, diluted or subjected to some other form of pretreatment in order to render it acceptable to the Department in accordance with the provisions of these regulations prior to discharge to the System. If necessary, the use of automatically operating and diluting or neutralizing equipment shall be required. If, upon neutralization, the discharge is sufficiently high in ionic strength to be unacceptable, further pretreatment shall be required.

13. DISCHARGE OF ODORS - CONTROL BY OWNER REQUIRED - It shall at all times be the responsibility of the owner to eliminate or control the emission of offensive odors from building sewers to the System or from any discharge to the System. Whenever the Department determines that odors from building sewers or resulting from a discharge are present in the System, it shall require the owner to take such steps as are necessary to eliminate such odors from the System. The cost of any devices or equipment used to eliminate or control such odors and all attendant expenses shall be borne by the owner.

13. PREVENTION OF ACCIDENTAL RELEASE OF UNACCEPTABLE SUBSTANCES - There shall be no direct or indirect connection between any vessel, tank, container, or receptacle of any kind used to receive, hold, store, or transport any toxic or deleterious materials or substances, the discharge of which is prohibited by these regulations, and the System. Persons who in the course of their business or otherwise transport, store, receive, ship, or process any such materials or substances shall take precautions to prevent accidental release of such materials or substances into the System. Persons who maintain any connection to the System by way of floor drains, basins, catch basins, down spouts, or other means shall be responsible for such connection. Whenever the Department determines that accidental spillage has occurred into the System as described above, it shall require the owner to eliminate the connection.

13. ACCIDENTAL RELEASE OF UNACCEPTABLE DISCHARGE - NOTIFICATION - Whenever an owner is notified by the Department of an accidental release to the System of any unacceptable discharge or of any substance or material which is prohibited by the Department to be toxic or deleterious as provided in this chapter, it shall be the responsibility of the owner to report such discharge to the Department immediately, and in no case later than one (1) hour following such a discharge, in accordance with the requirements of 274-WASA (9272), so that remedial action can be taken. Costs incurred to correct any such discharge shall be charged to the user and failure to report such a discharge shall result in a fine of not less than \$1,000 in addition to cost of correction. Each such discharge shall be considered separately and shall not be aggregated with any other discharge for purposes of this chapter.

accordingly. Each day on which there is such a discharge shall be and is hereby deemed to charges shall be levied accordingly. Such charges shall be collected by the Department in charges set by the Department. This charge shall be assessed in addition to any per ordinance or State law.

13. SPECIAL AGREEMENTS - APPLICATION TO DEPARTMENT - Whenever necessary or in accordance with the provisions of these regulations, the Department may enter into special agreements with facilities setting forth terms under which the discharge of such users will be acceptable to the

13. DISCHARGE OF UNPOLLUTED WATER WHERE STORM SEWER IS AVAILABLE - Where sanitary sewers are provided, required, or in use in any area of the Department, all unpolluted water, surface water, ground water, roof-runoff, uncontaminated cooling water, sub-surface industrial process water shall be discharged to the storm sewer. Whenever, in such areas, it is found to be discharged to a sanitary sewer, the Department shall require the customer to cease such discharge to be connected to the storm sewer at the expense of the user.

13. FAILURE TO COMPLY WITH DISCHARGE REGULATIONS - Charges - Any failure to comply with these regulations shall result in an additional charge against the person or premises so failing to comply in the Department's Schedule of Rates, Fees and Charges. In addition, said person or premises shall be liable for damages which occur to the System as a result of such failure to comply with any provision of these regulations. Such failure to comply shall be and is hereby deemed to be a distinct and separate failure and shall be billed accordingly. Failure to pay such charges shall result in the termination of water and/or sewer service.

3.07 BILLING PROCEDURES

13. APPLICABILITY - This Section applies only to Customers served directly by wastewater service from the Department

14. BILLING PERIODS - DUE DATE - Bills for sewage disposal service will be based on metered water consumption and will be rendered either monthly or quarterly in connection with the water bill, or on a shorter period if so stated in the applicable schedule or if notice of a different billing period is given.

15. MINIMUM SEWER CHARGES - Each bill for sewage disposal service rendered to Customers shall include a minimum charge as specified in the Department's Schedule of Rates, Fees and Charges.

16. GUARANTEE DEPOSITS - Upon opening an account to be billed on a monthly or quarterly basis, a Customer shall be required to pay a deposit in the amount of \$100.00.

deposit shall be paid by each residential Customer, as established in the Department's Charges.

Any commercial Customer (including multi-unit customers such as a condominium association) with an account to be billed on a monthly basis shall be required to pay a guarantee deposit of approximately 1.5 times the anticipated monthly billing, as established in the Department's Schedule of Rates, Fees and Charges.

Any commercial Customer upon opening an account to be billed on a quarterly basis shall be required to pay a guarantee deposit of approximately 1.5 times the anticipated quarterly billing, as established in the Department's Schedule of Rates, Fees and Charges.

The guarantee deposit is required as security for payment of the Customer's water and/or sewer service. The deposit shall be paid at the time of application or may be billed to the Customer with the next regularly scheduled bill. If the deposit amount is not received by the Department within the time specified on the bill sent to the Customer, service may be terminated until such time as the deposit and service fees are paid in full. The deposit shall be returned to the Customer upon termination of service, provided there are no outstanding bills for the accounts with the Department. However, deposits are returned according to the following schedule: for quarterly customers, after two (2) years with no service cuts or tampering violations combined with a record of on-time payments for a quarterly customer and less than five (5) late payments for a monthly customer.

The Department reserves the right to conduct appropriate credit checks, through a credit agency, on Customers applying for sewer service. Department amounts may be determined by credit agency.

Deposits shall earn simple interest at a rate established by the Department, which rate shall be the rate in effect on the date of payment or date of payment of interest. The Customer shall be entitled to receive interest from the date of payment or date of payment of interest shall be accrued for the period prior to April 1, 1984. Return of deposits shall be made at the time of adjustment on the regularly scheduled or final billing.

Governmental agencies, churches, synagogues and recognized charitable agencies and organizations with agreements with the Department are not required to pay guarantee deposits.

In lieu of a cash deposit for each water meter, Developers of major subdivisions requiring individual meters may place with the Department a letter of credit or other form of financial guarantee in an amount equal to the required deposits for all the units contemplated in the subdivision subsequent twelve month period. That amount may be adjusted annually. Any service charges or other fees owed by the Developer may be withdrawn from the financial guarantee by the Department.

17. DELINQUENT BILLS - Bills are due when rendered, and if not actually received at or designated to collect payments on or before the past due date set forth on the Customer's bill, a charge to defray Department costs and expenses shall be added to the water and/or sewer bill. If not actually received within forty (40) days of the date rendered, the service may be terminated and the account with the Department. Upon termination of service, the guarantor shall pay the outstanding bill for that Customer and a final bill shall be rendered showing the balance. Any balance from the deposit shall be either credited to any outstanding balances in other bills or refunded to the Customer.

Service will not be reinstated until the final bill is paid in full and the Customer makes appropriate guarantee deposit at the then established rate.

A Customer's water service shall be discontinued and no new application shall be accepted until there remains an outstanding final bill for unpaid water and/or sewer service at any other local jurisdiction.

Removal of late penalty charges may be allowed at the discretion of the Department, not more than one month period.

Sewer service, as such, will not be discontinued under normal circumstances; however, it may be discontinued if required for any reason including but not limited to non-payment, the Department shall make every effort to restore service.

18. INTEREST ON UNPAID WATER AND SEWER SERVICE CHARGES - Unpaid balance on water and sewer service and payment arrangements rendered by the Department shall bear interest at the prevailing rate. Said interest charge's imposition shall commence sixty (60) days after the date water and sewer charges set forth on Customers' bills.

19. LIEN FOR UNPAID WATER AND SEWER SERVICE CHARGES - To the extent all other liens, charges and interest accruing thereupon, for water and sewer service rendered to any residential property after the effective date of the ordinance, which remain unpaid sixty (60) days after the date of billing for water and sewer charges, shall become a lien against and upon the real property to which such service has been furnished to the same extent and character as a lien for a special assessment. Unpaid water and sewer charges, late charges, and interest accrued thereupon shall be, remain, and constitute a lien equal in rank and dignity with the liens of county ad valorem taxes and superior in rank to all other encumbrances, titles and claims in, to or against the real property involved, for a period of one year from the date said charges become a lien as set forth in Section 32-93 of the Code of Miami-Dade County, Florida, shall be enforced and satisfied by the Department pursuant to Chapter 173, Florida Statutes, as to time, or by any other method permitted by law. The lien provided for herein shall not be subject to any other legal remedies for payment available to the Department including, but not limited to, the suspension of water service. Certificates of Lien will be issued by the Department's Lien Unit within a response time will be seven (7) working days. For 24-hour requests, the response time will be within 24 hours.

day. A service charge for each address will be required in the amount specified in the De Fees and Charges. The Department reserves the right to lien property in accordance wi or Section of the Code of Miami-Dade County and nothing in this section shall work to lin

3.08 RATES AND CHARGES

20. RATES FOR SEWAGE COLLECTION AND DISPOSAL - The rates specified in S Schedule of Rates, Fees and Charges shall apply to retail customers within the Departm

The sewage disposal service charge may be revised independently of changes in water ra water rates do not affect the sewage disposal service charge.

The sewage disposal service charges for marinas with sewage pumpout capabilities shall water usage of the marina.

21. CONNECTION CHARGES - Connection charges are computed as a rate, specified in Rates, Fees and Charges, per average daily rated gallon for new or increased usage charges shall be held in a special fund or funds by the Department to be utilized so facilities to the extent new usage requires new facilities. Limitations on expenditures fro to July 1, 1974. The basis of calculation for average daily rated gallonage is found in S Miami-Dade County, as currently in effect and as may be amended in the future. For usa the Department shall estimate the daily gallonage. The gallonages in said Section are fo of calculating connection charges and will be used for that purpose regardless c requirements of individual developments. However, if the Department has no records building and if the property owner or developer can demonstrate that the average da previously used is greater than the average daily gallonage of the proposed use, co collected. The Department's evaluation of this demonstration shall be binding.

22. EXCEPTIONS -

- a. SUBDIVISION - a subdivider or property owner in a subdivision may connect sewer without fee providing that a previous subdivider has paid the entire connec costs for the sewers in the subdivision.
- b. CHARGES ESTABLISHED BY DEPARTMENT AND APPROVED I COMMISSIONERS - In areas where other charges have been or may be establ approved by the County Commission, such charges may supersede charges outli have been lawfully changed or altered.

23. OTHER CHARGES -

- a. **TURN-OFF AND TURN-ON FEES** - Where property is serviced with Department off and turn-on fees, as such, for sewer service; however, to enforce these procedures service may be discontinued and the existing charges for water service turn-on are in regard, water service may be turned off due to an infraction of these Rules and Regulations until such time as the infraction is corrected and all costs due the Department are paid.
- b. **MISCELLANEOUS CHARGES** - Miscellaneous charges shall be made for any work beyond normal maintenance or extension charges as outlined previously. This work such as moving connections, relocating manholes, or any other work done at the property for the benefit of the property owner, shall be charged for at direct cost plus appropriate overhead. An estimated cost will be required prior to doing this type of work with appropriate record kept. Work will not commence until a written understanding between the parties is completed.
- c. **TEMPORARY EMERGENCY TREATMENT RATES** - In cases where a Customer connects the sewers or sewage treatment facilities for disposal of sewage on a temporary basis, he may apply for such service through the Department. The Department will estimate costs and require payment in full prior to the use of the system. Should this service be used on a temporary basis, a proper charge will be estimated and an agreement establishing terms and conditions will be entered into between the Department and the Customer using the service. It is the intent of this type of service except in the case of municipalities and private utilities, and to this the Department reserves the right to refuse to accept and also to discontinue this type of service.
- d. **REIMBURSEMENT FOR EXTRA EXPENSES** - The Customer shall reimburse the Department for expenses (such as special trips, inspections, replacement or repair of damaged or additional clerical expenses, etc.) incurred by the Department because of a delinquent account, the contract for service or the Department's Rules and Regulations, or any additional charges for water and sewer service which is incurred by the Department in providing service to the Customer.
- e. **TAX CLAUSE** - All of the Department's rates including minimum and other charges are dependent upon Federal, State, County, Municipal, District and other Governmental taxes, and may be increased or a surcharge added if and when any or all of these taxes and other impositions are imposed or increased.

24. CREDIT FOR SEWAGE DISPOSAL CHARGE FOR WATER NOT ENTERING SEWER

for lawn sprinkling, gardening, or commercial-industrial purposes does not enter the sewer system. The Department will credit the payment of the Sewage Disposal Service Charge on the presently metered total water consumption for as follows:

- a. **WATER SUBMETER** - A customer may install on his metered water line at the property a sub-meter to measure the water that does not enter the sewer system. The Department will inspect the sub-meter and service fees as specified in the Department's Rules and Regulations. A charge will be billed on the difference in consumption between the two meters, proportionate to the amount of water not entering the sewer system. This credit shall not reduce the Sewage Disposal Service Charge to an amount less than the minimum charge.

charge.

- b. SEWAGE METER - A Customer may install at his own expense and subject to specially designed and constructed sewage meter for accurately measuring all premises. Such meters are practical only on large flow installations.
- c. SEPARATE WATER METER - A Customer may have installed by the Department a separate metered connection with the water main to measure the water which does not enter the sewer system. The bill for water used through such connection will not include the Sewage Disposal charge.

Unless water diverted from the sewer system is specifically metered by one of the methods herein, all flows will be deemed to be equal to water consumption as metered at the service location.

3.09 DISPOSAL OF SCAVENGER AND SEPTIC TANK WASTES

- 25. PURPOSE - It is the purpose of this Section to establish regulations for the disposal of septic tank wastes delivered by private haulers to the Department's treatment facilities and to fix the rates for such disposal. The regulations herein do not supersede any applicable State law or County ordinance.
- 26. PERMIT - As a prerequisite to obtaining permission to dispose of septic tank wastes and wastes from treatment plants or other mechanically operated sanitary sewage treatment plants at the Department's facilities, a hauler wishing to obtain such permission must obtain a permit for scavengers issued by the Director and must present such permit to the Department when applying for such permission.
- 27. PERMISSION OF DEPARTMENT - All haulers of scavenger or septic tank wastes and wastes from treatment plants or other mechanically operated sanitary sewage treatment plants, wishing to dispose of such wastes at the Department's facilities must first obtain the permission of the Department to do so.
- 28. GUARANTEE DEPOSIT - All haulers of scavenger or septic tank wastes and wastes from treatment plants or other mechanically operated sanitary sewage treatment plants who have obtained permission to dispose of such wastes at the Department's facilities in accordance with these regulations, shall be required to deposit with the Department an amount specified in the Department's Schedule of Rates, Fees and Charges as a guarantee of payment of treatment charges for such wastes. Monies so collected by the Department will be kept in a special account and will be refunded when treatment charges are not paid. Whenever the Department shall be required to so withhold such monies, it shall be permitted to dispose of wastes at the Department's facilities until his deposit has been refunded. These deposits are specifically excluded from earning interest.

29. INVOICING AND COLLECTION - The source document for billing the septic tank waste septic tank waste disposal ticket. Upon completion of the disposal of septic tank waste treatment plant, the truck operator will be provided with the third copy of the ticket provided.

- a. The ticket will serve as authorization for the Department to charge the company intended as a request for payment.
- b. Monthly invoices listing that month's tickets will be mailed by the 10th of the following month after receiving the service. Payment will be due no later than 10 days after the billing date.
- c. All charges not paid by the 21st of the month will be considered as past due. All charges past due the month will subject the company to termination of service procedures.
- d. A notice of intent to terminate waste disposal privileges will be mailed to each customer by the 10th of the month at the end of the following month. This notice will require payment of all charges to comply with this notice within ten (10) days will result in the termination of application of the customer's deposit to the unpaid balance.
- e. If the company fails to respond to the notice of intent by the cut-off date, the Department will notify both verbally and with follow-up memoranda to the waste hauler and the DERM that the delinquent customer's waste disposal privileges have been terminated.
- f. A formal, certified notice of termination of such privileges will be mailed to the customer by the cut-off date. Included in this notice will be a statement of payment required to re-operate.
- g. Should the septic tank company request a payment settlement, the customer shall pay all outstanding charges and shall include a partial payment of at least one-third (1/3) of the balance due.
- h. After a customer's waste disposal privileges have been terminated, a minimum deposit of \$1,000 specified in Section 3.09 (5) (d) herein will be required.

30. ANALYSIS REQUIRED - All haulers of scavenger wastes which include industrial wastes, hazardous wastes, and other wastes which are regulated by the Department's regulations can be required by the Department to present an analysis by an independent laboratory of the State of Florida, of such wastes to the Department's Assistant Plant Superintendent at least forty-eight (48) hours prior to the intended time of disposal of such wastes. The analysis shall determine if said wastes are compatible with the treatment process. Permission for the disposal of such waste is not determined to be harmful in accordance with these regulations.

31. REFUSAL OF SERVICES - The Department may refuse the services of its facilities if the waste cannot be delivered to the treatment facility is determined to:

- a. Be deleterious to the treatment facility or appurtenances thereto;
- b. Cause unusual expense in the handling and treatment thereof;

- c. Inhibit the performance of the treatment process;
 - d. Cause the plant to fail to meet effluent limits set by State and Federal regulatory ;
 - e. Cause a violation of the treatment facilities permit.
32. DISPOSAL POINT - Until such times as new disposal points are constructed, the only p for the disposal for septic tank wastes or other scavenger waste are at the Central a Treatment Plants. No hauler shall discharge any septic tank waste or other scavenger w catch basin or any appurtenance thereto or into any watercourse.
33. REPORTING INFORMATION - All haulers of septic tank waste or other scavenger waste time to report to the Department information pertaining to the source of such waste or of necessary for the proper administration of these regulations.
34. TREATMENT CHARGES FOR SEPTIC TANK WASTE - Treatment charges for septi package sewage treatment plants or other mechanically operated sanitary sewage trea by the Department each year and posted at the Department's disposal point and are Schedule of Rates, Fees and Charges.
35. FORFEITURES OF SERVICES FOR NON-COMPLAINE - Haulers of septic tank was shall forfeit the right to use the services of the Department's wastewater treatment fac any section of these regulations.
36. RATE FORMULA - For septic tank disposal fees, see the Department's Schedule of Rate

3.10 BILLING ADJUSTMENTS

37. TYPES OF ADJUSTMENTS

- a. Concealed Leaks-The Department anticipates that the Customer will maintair working condition. For those customers who have acted in an expeditious concealed leaks occurring underground or behind walls, the Department will adj based on the water loss, as determined by the Department. Such water loss s year's average or, in case of seasonal users, on the corresponding billing period rate of consumption after the repairs have been made. This adjustment shall be which the repair was made and the previous billing period.

In order to make an adjustment, the Customer must provide the Department with the

1. Within thirty (30) days after notification by the Department to the Customer that a plumbing problem may exist, the Customer must provide the Department with a letter from the plumber who has made the repair. This letter must include the date the repair was made, the type of repair, and the materials used to make the repair. The water bill will be adjusted for the Customer of a higher-than-normal consumption. There will be a charge for the repair credit, as specified in the Department's Schedule of Rates, Fees and Charges. The repair must be performed by a licensed plumber, and the plumber's license number is provided on the letter.
2. The area of the repair should be left exposed (the Customer must ensure that the repair is not covered) for inspection by the Department's investigator.
3. The investigator's report will indicate if the repair has been made and if there is still an issue with the excess consumption, with no continuous registration occurring at the time of the repair. In order to make a proper evaluation, the investigator may request that the Customer allow access to the property to determine if there is any other leakage occurring on the property. The Customer is not obligated to check any other plumbing fixtures.

No adjustments will be made for visible leaks (leaks occurring in toilets, bathtubs, showers, heaters, washing machines, valves, spigots, or any other item or plumbing fixture that is visually and periodically inspected to ensure proper working condition.)

While the Department may grant a sewer adjustment of up to 100 percent for a sewer line, a lesser adjustment in situations where there is a combination of a concealed leak and a sewer line determined by the Department.

- b. Once per calendar year, Customers may request a credit on their water bill after they have fully emptied and re-filled the water from their swimming pool. The Customer must contact the Department and request a form that must be returned to the Department with the completed form. The adjustment will be calculated using the volume of the pool, and there must be no water consumption during the billing period in which the pool was emptied and re-filled. There is a fee for the processing of the credit request as established in the Department's Schedule of Rates, Fees and Charges.

38. ADMINISTRATIVE HEARING

Any customer of the Department who wishes to dispute water and/or sewer service billings may request an administrative hearing. Upon receipt of such request, the Department shall establish a date and time for the hearing. The Customer, in writing. Each administrative hearing shall be attended by a representative of the Customer. The hearing shall be presided over by a Hearing Officer. The Hearing Officer will consider all facts, evidence, testimony and arguments presented at the hearing and will make an appropriate ruling. In addition, the Hearing Officer will provide a written ruling to the Customer. The ruling of the Hearing Officer will constitute final Department action. A customer shall be entitled to a hearing for disputes over billings more than four years old.

recommend adjustments of billings over four years old. Except as to those matters reviewed as expressly set forth in the Code of Miami-Dade County, a decision of the Hearing Officer is final and no administrative action from which there shall be no further administrative appeal. Any person aggrieved by the Hearing Officer may seek review in the Circuit Court for Miami-Dade County, Florida jurisdiction in accordance with Florida Law.

EXHIBIT "A"

CRITERIA

MIAMI-DADE WATER AND SEWER DEPARTMENT

CRITERIA FOR WATER MAIN EXTENSION REQUIREMENTS

The following is a list of the criteria utilized by the Miami-Dade Water and Sewer Department (Department) for water main extensions are required in the development or redevelopment of properties within the Department's jurisdiction.

This criteria shall only apply to new developments, new service requests to existing structures, in buildings by 50 percent or greater, or increases to the existing total daily rated gallonage by 50 percent or greater. These criteria shall not apply to existing buildings whose daily rated gallonage increases by 50 percent or greater if they can demonstrate that the daily rated gallonage of the new use is not 50 percent or greater than the previous use of the building and when the Department has no records indicating prior usage. The demonstration shall be binding.

Water transmission mains, water mains 36-inch in diameter and larger, shall not be tapped for water service to provide frontage on properties.

In residential areas, undersized water mains (mains that are less than four (4) inch in diameter) that are determined by a flow and pressure test conducted by the Meter Section of the Department shall not be used for water main extensions, nor shall they be considered to provide frontage on properties. Water main extensions shall be in accordance with the criteria.

Existing Low-Pressure water mains, regardless of size, generally located in the City of Miami Civic Center shall not be tapped for water services, fire hydrants or water main extensions, nor shall they be considered to provide frontage on properties.

Properties serviced by contaminated well water requesting water service from the Department, shall not be required to provide proof of no contamination from the State of Florida Department of Environmental Protection or the Department of Health unless the Department determines they do not comply with the requirements.

The Department will not require a water main extension from existing single family residential units be required to connect to the County's water system, provided the following conditions are satisfied:

- a. The County has existing water mains accessible and available to the connecting property.
- b. New water service to the connecting property must meet all requirements set forth in the Regulations, including the Standard Details Manual.
- c. The owner of the connecting property must execute a "Declaration of Restrictive Covenant" approved by the Department.
- d. The property owner of the connecting property must pay all costs incurred in the installation of the water service, including recording fees and fees for the preparation of an Opinion of Title for the Covenant.

PROCEDURES

1. Based on the proposed use of the property in question, find the applicable list:
 - a. Single Family Residence
 - b. Duplex or Triplex
 - c. Townhouse and Low Density Apartment
 - d. Business, Commercial, Public Buildings, Hospitals, Industrial and High Density
3. Use the applicable list, determine the "Item Description" that best identifies the proposed development.

obtain the assigned letter (A, B, C, D, E,) under the "Use Condition Format" column.

4. Find and use the applicable "Condition Format" and determine the conditions that best identify the requirements listed.

If the listing for the proposed use of the property and/or the item description does not fully identify the use, the Department shall review and make the appropriate determination.

SINGLE FAMILY RESIDENCE (SFR)

ITEM DESCRIPTION	USE CONDITION FORMAT
SFR replacing a vacant lot.	"A"
SFR replacing a SFR with an existing water service.	"B"
SFR replacing a SFR with no existing water service.	"A"
Attached addition to an existing SFR where the addition is 50% or greater in area of the original structure.	"A"
Detached addition to an existing SFR where the addition will be an apartment, residence or duplex.	"A"

DUPLEX OR TRIPLEX

TEM DESCRIPTION	USE CONDITION FORMAT
Duplex or triplex replacing a vacant lot.	"A"
Duplex or triplex replacing a SFR	"A"
Duplex or triplex replacing a duplex or triplex with an existing water service.	"B"
Duplex or triplex replacing a duplex or triplex with no existing water service.	"A"
Attached addition to an existing duplex or triplex where the addition is 50% or greater in area of the original structure.	"A"
Duplex or triplex on a non-contaminated well requesting service.	"A"
Duplex or triplex on a contaminated well requesting service. (Proof of contamination required).	"B"

TOWNHOUSES AND LOW DENSITY APARTMENTS

ITEM DESCRIPTION	USE CONDITION FORMAT
Townhouses or Low Density Apartments replacing a vacant lot.	"C"
Townhouses or Low Density Apartments replacing a SFR or Duplex	"C"
Townhouses or Low Density Apartments replacing Townhouses or Low Density Apartments with the same number of units.	"C"
Townhouses or Low Density Apartments replacing a Business.	"C"

BUSINESS, COMMERCIAL, PUBLIC BUILDINGS, HOSPITALS,

INDUSTRIAL LAND HIGH DENSITY APARTMENTS

ITEM DESCRIPTION	USE CONDITION FORMAT
Any of the above replacing a vacant lot.	"D"
Any of the above replacing a SFR.	"D"
Any of the above replacing a Duplex	"D"
Any of the above replacing existing Townhouses or Low Density Apartments.	"D"
Any of the above replacing the same.	"D"
Addition to an existing structure or a change in use on any of the above where the addition or change in use will be a 50% or greater increase of the original total daily rated gallonage.	"D"
Any of the above on a non-contaminated well requesting service.	"D"

Any of the above on a contaminated well requesting service. (Proof of contamination required)	"E"
Additions to any of the above on a contaminated or non-contaminated well requesting service, regardless of the existing or proposed total daily rated gallonage.	"D"

CONDITION FORMAT (A)

A. If the property is an interior lot.

1. If no main exists, minimum 8-inch main extension is required to cover the entire frontage
2. If a main exists:
 - a. If the main is less than 2-inch, minimum 8-inch main extension is required to cover the entire frontage of the property.
 - b. If the main is 2-inch and covers the entire frontage of the property and a test, conducted by the Department, determines that the 2-inch main does have adequate flow and pressure, no water meter is required. (Maximum domestic water meter size to be installed shall be 5/8-inch. No irrigation system shall be installed on the property if the main does not cover the entire frontage of the property, a minimum 8-inch extension is required along the remainder of the property.
 - c. If the main is 2-inch and a test, conducted by the Department, determines that the main does have adequate flow and pressure, minimum 8-inch main extension is required to cover the entire frontage of the property.
 - d. If the main is 4-inch or larger but it does not cover the entire frontage of the property, a minimum 8-inch extension is required along the remainder of the property.

- e. If the main is 4-inch or larger and it covers the entire frontage of the property, no

C. If the property is a corner lot.

1. If no main exists, minimum 8-inch main extension is required to cover at least one entire
2. If a main exists:

☞ If the main is less than 2-inch, minimum 8-inch main extension is required to cover the entire frontage of the property.

☞ If the main is 2-inch and covers both frontage of the property and a test, conducted by the Department, determines that the 2-inch main does have adequate flow and pressure, no main extension is required. If the main is 2-inch and does not cover the entire frontage of the property, a minimum 8-inch main extension is required to cover the remainder of the property.

☞ If the main is 2-inch and a test, conducted by the Department, determines that the main has adequate flow and pressure, minimum 8-inch main extension is required to cover the remainder of the property.

☞ If the main is 4-inch or larger but it does not cover the entire frontage of the property, a minimum 8-inch main extension is required along the remainder of the property.

☞ If the main is 4-inch or larger and it covers the entire frontage of the property, no main extension is required.

☞ If the main is 4-inch or larger but only covers one frontage of the property, a minimum 8-inch main extension is required along the remainder of the property.

1. If the main was installed for the property in question, no main extension is required.
2. If the main was installed as part of a Special Taxing District and the property is not a part of the District, no main extension is required. If the main was installed by a County's system betterment or a Special Taxing District and the property is not a part of the District, minimum 8-inch main extension is required along the remainder of the property.

question is subdivided in such a way that is fronting two parallel right-of-ways a existing adequate main and the property can obtain water service from that ex is required, unless it is a half-section line or a section line or if in the Depar Distribution Systems requires that a main be installed.

CONDITION FORMAT (B)

A. If the property is an interior lot.

1. If no main exists, minimum 8-inch main extension is required to cover the entire fronta
2. If a main exists, no main extension is required (regardless of existing main size or frontage of the property).

B. If the property is a corner lot.

1. If no main exists, minimum 8-inch main extension is required to cover at least one entire
2. If a main exists, no main extension is required (regardless of existing main size or frontage of the property).

CONDITION FORMAT (C)

A. If the property is an interior lot.

1. If no main exists, minimum 8-inch main extension is required the entire frontage of the pr

2. If a main exists:

a. If the main is less than 8-inch, minimum 8-inch main extension is required to c
property.

b. If the main is 8-inch or larger but it does not cover the entire frontage of the p
extension is required along the remainder of the property,

c. If the main is 8-inch or larger and it covers the entire frontage of the property, no i

B. If the property is a corner lot.

1. If no main exists, minimum 8-inch main extension is required to cover at least one entire

2. If a main exists:

a. If the main is less than 8-inch, minimum 8-inch main extensic
one entire frontage of the property.

b. If the main is 8-inch or larger and it covers both frontages of th
is required.

c. If the main is 8-inch or larger but only covers one frontage of th

b. If the main was installed for the property in question, no main extension is

- c. If the main was installed as part of a Special Taxing District and the property is in the District, no main extension is required.
- d. If the main was installed by another developer or as part of a system by another District and the property in question is not a part of the District, minimum 12-inch main extension is required along the remainder of the property.

CONDITION FORMAT (D)

A. If the property is an interior lot.

- 1. If no main exists, minimum 12-inch main extension is required to cover the entire frontage of the property.
- 2. If a main exists:
 - a. If the main is less than 12-inch, minimum 12-inch main extension is required along the entire frontage of the property.
 - b. If the main is 12-inch or larger but it does not cover the entire frontage, minimum 12-inch main extension is required along the remainder of the property.
 - c. If the main is 12-inch or larger and it covers the entire frontage, no main extension is required.

C. If the property is a corner lot.

- 1. If no main exists, minimum 12-inch main extension is required to cover at least one entire frontage.
- 2. If a main exists:

- a. If the main is less than 12-inch, minimum 12-inch main extension is required along the frontage of the property.
- b. If the main is 12-inch or larger and it covers both frontages of the property, no extension is required.
- c. If the main is 12-inch or larger but only covers one frontage of the property, the following conditions apply:
 - 1. If the main was installed for the property in question, no main extension is required.
 - 2. If the main was installed as part of a Special Taxing District and the property is within the District, no main extension is required.
 - 3. If the main was installed by another developer or as part of a Special Taxing District and the property in question is not a part of the District, a main extension is required along the remainder of the property.

CONDITION FORMAT (E)

A. If the property is an interior lot or a corner lot.

- 1. If no main exists, follow Condition Format (D).
- 2. If a main exists:

- c. Service can be provided (regardless of existing main size or if it does not cover the property) with the following condition: The owner of the property must execute a "Declaration of Restrictive Covenants" that is provided by the Department for a waiver to Condition Format (D).